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No. 27]

NEW DELHI, JUNE 26—JULY 2, 2005 SATURDAY/ASADHA 5—ASADHA 11, 1927

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 21 जून, 2005

का.आ. 2286.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973
(1974 का 2) की धारा 25 की उपधारा (1क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,—

- (i) श्री आर. के. पाठक, अधिवक्ता, मुम्बई,
- (ii) श्री जे. आर. मोरे, अधिवक्ता, मुम्बई,
- (iii) कु. नीति पंडे, अधिवक्ता, मुम्बई,
- (iv) श्री राजेश देशाई, अधिवक्ता, मुम्बई,
- (v) श्री अजीत एस. ईनामदार, अधिवक्ता, मुम्बई,
- (vi) श्री एन. नटराजन, अधिवक्ता, मुम्बई,
- (vii) श्री विमल गुप्ता, अधिवक्ता, मुम्बई,

(viii) श्री गिरीश आर. अग्रवाल, अधिवक्ता, मुम्बई,

(ix) श्री दीपक ठाकुर, अधिवक्ता, मुम्बई

को बृहत्तर मुम्बई में महानगर मजिस्ट्रेट न्यायालयों और विशेष न्यायालयों में भारत संघ या केन्द्रीय सरकार के किसी विभाग या कार्यालय या अपनी सरकारी हैसियत से कार्य करने वाले केन्द्रीय सरकार के विभाग के किसी अधिकारी द्वारा या उसके विरुद्ध सभी दांडिक मामलों का संचालन करने के प्रयोजन के लिए, इस शर्त के अध्वधीन कि ऊपर उल्लिखित अधिवक्ता केन्द्रीय सरकार या केन्द्रीय सरकार के किसी अधिकारी या केन्द्रीय सरकार के किसी विभाग के विरुद्ध किसी दांडिक मामले में बृहत्तर मुम्बई में किसी महानगर न्यायालय और किसी विशेष न्यायालय में उपसंज्ञात नहीं होंगे, तुरन्त प्रभाव से तीन वर्ष की अवधि के लिए या अगले आदेश तक, इनमें से जो भी पहले हों, सहायक लोक अभियोजक के रूप में नियुक्त करती है।

[फा.सं. 23(2ए)/2005-न्या०]

डी.आर. मीणा, संयुक्त सचिव और विधि सलाहकार

MINISTRY OF LAW AND JUSTICE**(Department of Legal Affairs)**

New Delhi, the 21st June, 2005

S.O. 2286.—In exercise of the powers conferred by sub-section (1A) of Section 25 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints,—

- (i) Shri R.K. Pathak, Advocate, Mumbai,
- (ii) Shri J.R. More, Advocate, Mumbai,
- (iii) Ms. Nitee Punde, Advocate, Mumbai,
- (iv) Shri Rajesh Desai, Advocate, Mumbai,
- (v) Shri Ajit S. Inamdar, Advocate, Mumbai,
- (vi) Shri N. Natarajan, Advocate, Mumbai,
- (vii) Shri Vimal Gupta, Advocate, Mumbai,
- (viii) Shri Girish R. Agrawal, Advocate, Mumbai,
- (ix) Shri Deepak Thakur, Advocate, Mumbai

as Assistant Public Prosecutors for the purpose of conducting all criminal cases by or against the Union of India or any Department or Office of the Central Government or any officer of the Central Government Department acting in his official capacity in the Metropolitan Magistrate Courts and Special Courts in Greater Mumbai with immediate effect for a period of three years or until further orders, whichever is earlier, subject to the condition that the above mentioned advocates shall not appear in any criminal case in any Metropolitan Magistrate Court and Special Court in Greater Mumbai against the Central Government or any officer of the Central Government or against any Department of the Central Government.

[F. No. 23(2A)/2005-Judl.]

D.R. MEENA, Jt. Secy. and Legal Adviser

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय**(कार्मिक और प्रशिक्षण विभाग)**

नई दिल्ली, 16 जून, 2005

का.आ. 2287.—केन्द्रीय सरकार, एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अधिवक्ताओं को विचारण न्यायालयों में निदेशक, केन्द्रीय अन्वेषण ब्यूरो द्वारा उन्हें सौंपे गए दिल्ली विशेष पुलिस स्थापना (के.अ.ब्यूरो) द्वारा गोवा राज्य में संस्थित मामलों के अभियोजन तथा विधि द्वारा स्थापित पुनरीक्षण अथवा अपील न्यायालयों में इन मामलों से उद्भूत अपीलों/पुनरीक्षणों अथवा अन्य विषयों का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है:—

1. श्री संतना बी. फरिया
2. श्री अविनाश पी. लवांडे

[सं. 225/23/2004-ए.वी.डी.-II]

चन्द्र प्रकाश, अवर सचिव

**MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSIONS****(Department of Personnel and Training)**

New Delhi, the 16th June, 2005

S.O. 2287.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following Advocates as Special Public Prosecutors for conducting the prosecution of cases instituted by the Delhi Special Police Establishment (CBI) in the State of Goa as entrusted to them by the Director, Central Bureau of Investigation in the trial Courts and appeals/revisions or other matter arising out of these cases in revisional or appellate Courts established by law:—

- (i) Shri Santana B. Faria
- (ii) Shri Avinash P. Lavande

[No. 225/23/2004-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 16 जून, 2005

का.आ. 2288.—केन्द्रीय सरकार, एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय अन्वेषण ब्यूरो के निम्नलिखित अधिवक्ताओं को विचारण न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों के अभियोजन तथा किसी ऐसे राज्य अथवा संघ राज्य क्षेत्र जिस पर पूर्वोक्त धारा के उपबंध लागू होते हैं, में विधि द्वारा स्थापित पुनरीक्षण अथवा अपील न्यायालयों में इन मामलों से उद्भूत अपीलों/पुनरीक्षणों अथवा अन्य विषयों का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है:—

1. श्री विवेक सक्सेना
2. श्री धन किशोर
3. श्री पी. वी. रामकृष्ण राव
4. श्री अमृतपाल सिंह
5. श्री राजमोहन चंद
6. श्री आई. के. चंद्रा
7. श्री बी. एस. चौधरी
8. श्री कमलकांत गोयल
9. श्री राम लाल नेगी
10. श्री पवन कुमार डोगरा
11. श्री सुरेंद्र कुमार कांतिवाल
12. श्री मनोज कुमार टी.पी.
13. श्री बाल करण सिंह
14. श्री मनोज चालदान
15. श्री एम. एच. कबाडी
16. श्री पी. अरुण
17. श्री के. सूर्यनारायण

[सं. 225/1/2005-ए.वी.डी.-II(i)]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 16th June, 2005

S.O. 2288.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following prosecuting Officers of the Central Bureau of Investigation as Special Public Prosecutor for conducting cases instituted by the Delhi Special Police Establishment in trial courts and appeals/revisions or other matters arising out of these cases in revisional or appellate courts, established by law in any State or Union Territory to which provisions of the aforesaid section apply :—

1. Shri Vivek Saxena
2. Shri Dhan Kishore
3. Shri P.V. Ramakrishna Rao
4. Shri Amrit Pal Singh
5. Shri Raj Mohan Chand
6. Shri I.K. Chandra
7. Shri B.S. Choudhary
8. Shri Kamal Kant Goel
9. Shri Ram Lal Negi
10. Shri Pawan Kumar Dogra
11. Shri Surender Kumar Kantiwal
12. Shri Manoj Kumar T.P.
13. Shri Bal Karan Singh
14. Shri Manoj Chaldan
15. Shri M.H. Kabadi
16. Shri P. Arun
17. Shri K. Suryanarayana

[No. 225/1/2005-AVD. II(i)]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 16 जून, 2005

का.आ. 2289.—केन्द्रीय सरकार, एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 25 की उपधारा (1-ए) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय अन्वेषण ब्यूरो के निम्नलिखित अभियोजन अधिकारियों को किसी राज्य अथवा संघ राज्य क्षेत्र में दिल्ली विशेष पुलिस स्थापना द्वारा सक्षम अधिकारिता वाले न्यायालयों में संस्थित मामलों के अभियोजन का संचालन करने के लिए सहायक लोक अभियोजक के रूप में नियुक्त करती है :—

1. श्री संजय कुमार
2. श्री रमन कुमार
3. श्री विनय कुमार
4. श्री अनिल कुमार तंवर

5. श्री दलजीत सिंह चावला
6. श्रीमती गीता सिंह
7. श्री प्रवीण श्रीवास्तव
8. श्री मुकेश कुमार मरोरिया

[सं. 225/1/2005-ए.वी.डी.-II(ii)]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 16th June, 2005

S.O. 2289.—In exercise of the powers conferred by sub-section (1-A) of Section 25 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following prosecuting Officers of the Central Bureau of Investigation as Assistant Public Prosecutor for conducting cases instituted by the Delhi Special Police Establishment in the courts of competent jurisdiction in any State or Union Territory :—

1. Shri Sanjay Kumar
2. Shri Raman Kumar
3. Shri Vinay Kumar
4. Shri Anil Kumar Tanwar
5. Shri Daljit Singh Chawla
6. Smt. Geeta Singh
7. Shri Praveen Srivastav
8. Shri Mukesh Kumar Maroria

[No. 225/1/2005-AVD. II(ii)]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 23 जून, 2005

का.आ. 2290.—केन्द्रीय सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कर्नाटक राज्य सरकार की अधिसूचना सं. एच.डी. 57 पी.सी.आर. 2005 दिनांक 14-3-2005 द्वारा प्राप्त कर्नाटक राज्य सरकार की सहमति से सर्वश्री रमेश जेली, पूर्व मुख्य प्रबंध निदेशक, तत्कालीन ग्लोबल ट्रस्ट बैंक, श्रीधर सुबाश्री, पूर्व कार्यकारी निदेशक, तत्कालीन ग्लोबल ट्रस्ट बैंक, वी. जनार्दन, पूर्व उपाध्यक्ष, तत्कालीन ग्लोबल ट्रस्ट बैंक, विवेक नागपाल, पूर्व निदेशक, मैसर्स शॉख टेक्नालाजिज इंटरनेशनल लि., केतन वी. पारिख, निदेशक, मैसर्स गोल्डफिश कंप्यूटर्स प्रा. लि. और निदेशक, मैसर्स पेंथर फिनकैप एंड मैनेजमेंट सर्विसिज लि., सी.वी.आर. राव, निदेशक, मैसर्स शॉख टेक्नालाजिज इंटरनेशनल लि. और प्रशांत कुमार, निदेशक, मैसर्स शॉख टेक्नालाजिज इंटरनेशनल लि. तथा किन्हीं अन्य लोक सेवकों अथवा व्यक्तियों के विरुद्ध वर्ष 2001-2002 की अवधि के दौरान साख-सुविधाएं प्राप्त करने के मामले में तत्कालीन ग्लोबल ट्रस्ट बैंक

को 38.49 करोड़ रु. का धोखा देने के कारण भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं. 45) की धारा 120-बी सपठित धारा 409 और 420 के अधीन दंडनीय अपराधों तथा तत्संबंधी सारभूत अपराधों और उक्त अपराधों से संबंधित अथवा संसक्त उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण कर्नाटक राज्य पर करती है।

[सं० 228/30/2005-ए.वी.डी.-II]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 23rd June, 2005

S.O. 2290.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Karnataka, *vide* Notification No.HD 57 PCR 2005 dated 14-03-2005 hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Karnataka for the investigation of offences punishable under Section 120B read with 409 and 420 of the Indian Penal Code, 1860 (Act. No. 45 of 1860) and substantive offences thereof, against S/Shri Ramesh Gelli, Former CMD, erstwhile Global Trust Bank, Sridhar Subasri, Former ED, erstwhile Global Trust Bank, V. Janardhanan, Formerly Vice President, erstwhile Global Trust Bank, Vivek Nagpal, Former Director of M/s. Shonkh Technologies International Ltd., Ketan V. Parekh, Director of M/s. Goldfish Computers Pvt. Ltd., and Director of M/s. Panther Fincap and Management Services Ltd., C.V.R. Rao, Director of M/s. Shonkh Technologies International Limited and Prasanth Kumar, Director of M/s. Shonkh Technologies International Limited for defrauding erstwhile Global Trust Bank to the tune of Rs. 38.49 crores in the matter of availing credit facilities during the period 2001-2002 and any other public servants or persons in relation to or in connection with the said offences, any other offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/30/2005-AVD -II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 17 जून, 2005

का. आ. 2291.—केन्द्रीय सरकार, राजभाषा (संच के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, राजस्व विभाग के अधीन केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड के निम्नलिखित क्षेत्रीय कार्यालय को, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

लाजिस्टिक निदेशालय,
सीमा तथा केन्द्रीय उत्पाद शुल्क,
चौथी मंजिल, लोकनायक भवन,
खान मार्किट, नई दिल्ली-110003

[फ. सं. 11013(01)/2005-हिन्दी-2]

मधु शर्मा, निदेशक (रा.भा.)

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 17th June, 2005

S.O. 2291.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following Office under the Board of Central Excise & Customs, Department of Revenue the 80% Staff whereof have acquired the working knowledge of Hindi :—

Directorate of Logistics
Custom and Central Excise
4th Floor, Lok Nayak Bhavan
New Delhi-110003

[F. No. 11013 (01)/2005-Hindi-2]

MADHU SHARMA, Director (OL)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 18 जून, 2005

का. आ. 2292.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री स्त्री.पी० स्वर्णकार (जन्मतिथि : 01-05-1948), जो इस समय पंजाब नेशनल बैंक में महाप्रबंधक हैं, को उनके कार्यभार ग्रहण करने की तारीख से 30-04-2008 तक अर्थात् जिस तारीख को वह अधिवर्षिता की आयु प्राप्त करेंगे, उसके अंतिम दिन तक की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, पंजाब नेशनल बैंक के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/12/2005-बीओ-1]

जी.बी. सिंह, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 18th June, 2005

S.O. 2292.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of

Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3, Sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri C.P. Swarankar (DOB : 01-05-1948) presently General Manager, Punjab National Bank, as a whole time Director (designated as the Executive Director) of Punjab National Bank with effect from the date of his taking charge of the post and upto 30-04-2008, i.e. the date of his superannuation or until further orders whichever is earlier.

[F. No. 9/12/2005-BO-I]

G. B. SINGH, Under Secy.

नई दिल्ली, 18 जून, 2005

का. आ. 2293.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8, उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री पी. एल. गैरोला (जन्म तिथि : 15-12-1948), जो इस समय यूनियन बैंक आफ इंडिया में महाप्रबंधक हैं, को उनके कार्यभार ग्रहण करने की तारीख से 31-12-2008 तक अर्थात् जिस तारीख को वह अधिवर्षिता की आयु प्राप्त करेंगे, उसके अंतिम दिन तक की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, बैंक ऑफ इंडिया के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/13/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 18th June, 2005

S.O. 2293.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with Sub-clause (1) of clause 3, Sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri P. L. Gairola (DOB : 15-12-1948) presently General Manager, Union Bank of India, as a whole time Director (designated as the Executive Director) of Union Bank of India with effect from the date of his taking charge of the post and up to 31-12-2008, i.e. the date of his superannuation or until further orders whichever is earlier.

[F. No. 9/13/2005-BO-I]

G. B. SINGH, Under Secy.

नई दिल्ली, 18 जून, 2005

का. आ. 2294.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री ए० सी० महाजन (जन्म तिथि : 05-07-1950), जो इस समय बैंक आफ इंडिया में महाप्रबंधक हैं, को उनके कार्यभार ग्रहण करने की तारीख से पांच वर्ष तक की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, बैंक आफ बड़ौदा के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/11/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 18th June, 2005

S.O. 2294.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3, sub clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri A. C. Mahajan (DOB : 05-07-1950) presently General Manager, Bank of India, as a whole time Director (designated as the Executive Director) of Bank of Baroda for a period of five years from the date of his taking charge of the post on or until further orders whichever is earlier.

[F. No. 9/11/2005-BO-I]

G. B. SINGH, Under Secy.

नई दिल्ली, 18 जून, 2005

का. आ. 2295.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा सुश्री सुनंदा लहरी (जन्म तिथि : 07-08-1947), जो इस समय यूको बैंक में महाप्रबंधक हैं, को उनके कार्यभार ग्रहण करने की तारीख से 31-08-2007 तक अर्थात् जिस तारीख को वह अधिवर्षिता की आयु प्राप्त करेंगी, उसके अंतिम दिन तक की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, युनाइटेड बैंक आफ इंडिया के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/14/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 18th June, 2005

नई दिल्ली, 18 जून, 2005

S.O. 2295.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3, sub clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Ms Sunanda Lahiri (DOB : 07-08-1947) presently General Manager, UCO Bank, as a whole time Director (designated as the Executive Director) of United Bank of India with effect from the date of her taking charge of the post and up to 31-08-2007 i.e. the date of her superannuation or until further orders whichever is earlier.

[F. No. 9/14/2005-BO-I]

G. B. SINGH, Under Secy.

नई दिल्ली, 18 जून, 2005

का. आ. 2296.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री यू.एस. कोहली (जन्म तिथि : 18-08-1947), जो इस समय पंजाब एंड सिंध बैंक में महाप्रबंधक हैं, को उनके कार्यभार ग्रहण करने की तारीख से 31-08-2007 तक अर्थात् जिस तारीख को वह अधिवर्षिता की आयु प्राप्त करेंगे, उसके अंतिम दिन तक की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, देना बैंक के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/18/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 18th June, 2005

S.O. 2296.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3, sub clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri U.S. Kohli (DOB : 18-08-1947) presently General Manager, Punjab & Sind Bank, as a whole time Director (designated as the Executive Director) of Dena Bank with effect from the date of his taking charge of the post and up to 31-08-2007 i.e. the date of his superannuation or until further orders whichever is earlier.

[F. No. 9/18/2005-BO-I]

G. B. SINGH, Under Secy.

का. आ. 2297.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री एम.डी. माल्या (जन्म तिथि : 09-11-1952), जो इस समय कारपोरेशन बैंक में महा प्रबंधक हैं, को 1-07-2005 को या उसके कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, ओरियंटल बैंक आफ कामर्स के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/10/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 18th June, 2005

S.O. 2297.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3, sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M.D. Mallya (DOB : 09-11-1952) presently General Manager, Corporation Bank, as a whole time Director (designated as the Executive Director) of Oriental Bank of Commerce for a period of five years with effect from the date of his taking charge on or after 01-07-2005 or until further orders whichever is earlier.

[F. No. 9/10/2005-BO-I]

G. B. SINGH, Under Secy.

नई दिल्ली, 18 जून, 2005

का. आ. 2298.—राष्ट्रीयकृत बैंक (प्रबन्ध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खण्ड 3 के उपखण्ड (1) और खण्ड 8 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उपधारा (3) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् एतद्वारा श्री के. एल. गोपालकृष्ण (जन्म तिथि : 10-12-1947), जो इस समय यूनियन बैंक आफ इंडिया में महाप्रबंधक हैं, को उनके कार्यभार ग्रहण करने की तारीख से 31-12-2007 अर्थात् जिस तारीख को वह अधिवर्षिता की आयु प्राप्त करेंगे, उसके अंतिम दिन तक की अवधि के लिए या अगले आदेश होने तक, जो भी पहले हो, कोरपोरेशन बैंक के पूर्णकालिक निदेशक (कार्यपालक निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[सं. 9/16/2005-बीओ-I]

जी.बी. सिंह, अवर सचिव

New Delhi, the 18th June, 2005

S.O. 2298.—In exercise of the powers conferred by clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980, read with sub-clause (1) of clause 3, sub clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K.L. Gopalakrishna (DOB : 10-12-1947) presently General Manager, Union Bank of India, as a whole time director (designated as the Executive Director) of Corporation Bank with effect from the date of his taking charge of the post and upto 31-12-2007 i.e. the date of his superannuation or until further orders whichever is earlier.

[F. No. 9/16/2005-BO-1]

G. B. SINGH, Under Secy.

रसायन एवं उर्वरक मंत्रालय

(उर्वरक विभाग)

नई दिल्ली, 14 जून, 2005

का. आ. 2299.—केन्द्रीय सरकार राजभाषा “संघ के शासकीय प्रयोजनों के लिए प्रयोग” नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में रसायन एवं उर्वरक मंत्रालय, उर्वरक विभाग के प्रशासनिक नियंत्रण में आने वाले निम्नलिखित कार्यालय, जिनके 80 प्रतिशत से अधिक अर्थात् शत-प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :

1. नेशनल फर्टिलाइजर्स लिमिटेड, क्षेत्रीय कार्यालय, नागपुर, महाराष्ट्र
2. नेशनल फर्टिलाइजर्स लिमिटेड, क्षेत्रीय कार्यालय, औरंगाबाद, महाराष्ट्र
3. नेशनल फर्टिलाइजर्स लिमिटेड, क्षेत्रीय कार्यालय, जलगांव, महाराष्ट्र

[सं. ई-11011/1/2001-हिन्दी]

स्वतंत्र के. सेखों, संयुक्त सचिव

MINISTRY OF CHEMICALS AND FERTILIZERS

(Department of Fertilizers)

New Delhi, the 14th June, 2005

S.O. 2299.—In pursuance of sub-rule (4) of Rule 10 of the Official Language “Use for official purpose of the Union” Rule 1976 the Central Govt. hereby notifies the following offices, under the Administrative Control of the Ministry of Chemicals & Fertilizers, Department of Fertilizers, more than 80% i.e. 100% Staff whereof have acquired the working knowledge of Hindi:—

1. National Fertilizers Limited, Regional Office, Nagpur, Maharashtra.
2. National Fertilizers Limited, Regional Office, Aurangabad, Maharashtra.

3. National Fertilizers Limited, Regional Office, Jalgaon, Maharashtra.

[No. E.-11011/1/2001-HINDI]

SWATANTRA K. SEKHON, Jt. Secy.

पर्यावरण एवं वन मंत्रालय

नई दिल्ली, 15 जून, 2005

का. आ. 2300.—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप-नियम (4) के अनुसरण में केन्द्रीय सरकार एतद्वारा मंत्रालय के प्रशासनिक नियंत्रणाधीन भारतीय वन सर्वेक्षण (पूर्वी अंचल), कोलकाता, जिसके 80 प्रतिशत से अधिक कर्मचारिवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है ।

[सं. ई-11011/2/2003-रा. भा. (का.)]

जय नारायण, निदेशक (रा. भा.)

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the 15th June, 2005

S.O. 2300.—In pursuance of sub-rule (4) of Rule, 10 of the Official Languages (Use for official purpose of the Union) Rule 1976, the Central Government hereby notifies the Forest Survey of India (East Region), Calcutta under the administrative control of the Ministry of Environment & Forests, the 80% staff whereof have acquired the working knowledge of Hindi.

[No. E.-11011/2/2003-O.L.(I)]

JAI NARAIN, Director (O.L.)

नागर विमानन मंत्रालय

(एएआई अनुभाग)

नई दिल्ली, 10 जून, 2005

का. आ. 2301.—भारतीय विमानपत्तन प्राधिकरण अधिनियम 1994 (1994 की संख्या-55) के खंड 3 तथा खंड 41 [का.आ. 718(ई)] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस मंत्रालय की दिनांक 8-6-2005 की इसी संख्या की अधिसूचना का अधिक्रमण करते हुए केन्द्र सरकार एतद्वारा 8 जून, 2005 (पूर्वाह्न) से श्री पी. एस. नायर का त्याग पत्र सदस्य (कार्मिक एवं प्रशासन) के पद से तथा भारतीय विमानपत्तन प्राधिकरण की सेवाओं से स्वीकार करती है तथा उन्हें दिनांक 8-6-2005 (पूर्वाह्न से) भारतीय विमानपत्तन प्राधिकरण की सेवाओं से स्वैच्छिक सेवानिवृत्ति की अनुमति भी देती है ।

[सं. एवी.-24011/006/2003-एएआई]

एल. हौकिप, अवर सचिव

MINISTRY OF CIVIL AVIATION

(AAI Section)

New Delhi, the 10th June, 2005

S.O. 2301.—In exercise of the powers conferred by Section 3 and Section 41 [S.O. 718(E)] of the Airports Authority of India Act, 1994 (No. 55 of 1994), and in

supersession to the Ministry's Notification of even No. dated 8-6-2005, the Central Government hereby accepts the resignation of Shri P.S. Nair, from the post of Member (Personnel & Administration) w.e.f. the forenoon of 8th June 2005. Shri Nair has also been permitted to voluntarily retire from the services of Airports Authority of India w.e.f. 8th June, 2005 (Forenoon).

[No.AV-24011/006/2003-AAI]

L. HAOKIP, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 7 जून, 2005

का. आ. 2302.—इस मंत्रालय की दिनांक 5 फरवरी, 2005 की समसंख्यक अधिसूचना के अनुक्रम में तथा चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 व 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निम्नलिखित व्यक्तियों को तत्काल प्रभाव से दो वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, केन्द्रीय फिल्म प्रमाणन बोर्ड के चेन्नई सलाहकार पैनल के सदस्यों के रूप में नियुक्त करती है :—

1. श्रीमती लक्ष्मी राजाराम
2. श्रीमती रानी वेंकटेशन
3. श्रीमती एस धीविजा कुमारी
4. श्री सी. बालासुंदरम्
5. श्री ई. एकाम्बरम्
6. श्री टी. विजया रवि वर्मा
7. श्री पी. चंद्रशेखरन
8. श्री ए.जी. पूवाराघवन
9. श्री टी.एल. शिवालिङ्गम्
10. श्री के. सिल्वाराज पांडियन
11. श्री बी.के. अरिवीझागन
12. श्री मन्नई मथियालगन
13. श्री सुबा सोम्
14. श्री सी.आर. सुंदरराजन
15. श्री बी. सुदालैयांडी
16. डॉ. के. गायत्री देवी
17. श्रीमती जी. सरस्वती नलादियार
18. श्रीमती मीना वेंकटरमण
19. श्री मरियप्पा बास्कर
20. श्री एस. मुनावर बाशा

21. श्री एम.सी. ज़बरुल्लाह
22. श्रीमती जयकला प्रभाकर
23. श्रीमती सुशीला पद्मनाभन
24. श्री के. स्वामीनाथन
25. श्री के.पी. श्रीनिवास राजा
26. श्री ए.जे. ज्वाय
27. श्री इलांगो
28. श्री नेताजी गणेशन
29. श्रीमती प्रेमा श्रीनिवासन
30. श्री इब्राहीम रावतार
31. श्री रवि भारती
32. श्री बालाकृष्णन
33. श्री ए. शक्तिवेल
34. श्रीमती रानी कृष्णन
35. श्रीमती बानु लॉरेंस
36. श्रीमती मीना सिल्वाराज
37. श्रीमती जयश्री
38. श्रीमती सरस्वती नलादियार
39. श्री जी.आर. वेंकटेश
40. श्री कठिपारा जनार्दनन
41. श्री एम.ए. मुथालगन
42. श्री एस. रामदास
43. श्री कक्कन कस्तूरीभाई
44. श्री ई.के. अरुणकुमार
45. प्रोफेसर डॉ. वी. नागराजन
46. श्रीमती थिरुप्पुर सरोजा
47. श्री बालासुब्रमण्यम

[फा. सं. 809/4/2004-एफ (सी)]

पी.पी. नायर, डेस्क अधिकारी

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 7th June, 2005

S.O. 2302.—In continuation of this Ministry's Notification of even number dated 5th February, 2005 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to appoint

the following persons as members of the Chennai Advisory Panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier :

1. Smt. Lakshmi Rajaram
2. Smt. Rani Venkatesan
3. Smt. S. Dhivija Kumari
4. Shri C. Balasundaram
5. Shri E. Ekambaram
6. Shri T. Vijaya Ravi Verma
7. Shri P. Chandrasekaran
8. Shri A.G. Poovaraghavan
9. Shri T.L. Sivalingam
10. Shri K. Selvaraj Pandian
11. Shri V.K. Arivizhagan
12. Shri Mannai Mathyalagan
13. Shri Suba Somu
14. Shri C.R. Sunder Rajan
15. Shri B. Sudalaiyandi
16. Dr. K. Ghayathri Devi
17. Smt. G. Saraswathy Naladiar
18. Smt. Meena Venkatraman
19. Shri Mariappa Basker
20. Shri S. Munavar Basha
21. Shri M.C. Zabarullah
22. Smt. Jayakala Prabhakar
23. Smt. Susheela Padmanabhan
24. Shri K. Swaminathan
25. Shri K.P. Srinivasa Raja
26. Shri A.J. Joy
27. Shri Ilango
28. Shri Nethaji Ganesan
29. Smt. Prema Srinivasan
30. Shri Ibrahim Rawthar
31. Shri Ravi Bharti
32. Shri Balakrishnan
33. Shri A Sakthivel
34. Smt. Rani Krishnan
35. Smt. Banu Lawrence

36. Smt. Meena Selvaraj
37. Smt. Jaishree
38. Smt. Saraswati Naladiyar
39. Shri G. R. Venkatesh
40. Shri Kathipara Janardhanan
41. Shri M.A. Muthalagan
42. Shri S. Ramadass
43. Shri Kakkan Kasturibhai
44. Shri E.K. Arunakumar
45. Prof. Dr. V. Nagarajan
46. Smt. Thiruppur Saroja
47. Shri Balasubramanian

[F. No. 809/4/2004-F(C)]

P. P. NAIR, Desk Officer

नई दिल्ली, 9 जून, 2005

का. आ. 2303.—इस मंत्रालय की दिनांक 5 फरवरी, 2005, 18 फरवरी, 2005 और 10 मार्च, 2005 की समसंख्यक अधिसूचनाओं के अनुक्रम में तथा चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 व 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 की 37) की धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निम्नलिखित व्यक्तियों को तत्काल प्रभाव से दो वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, केन्द्रीय फिल्म प्रमाणन बोर्ड के हैदराबाद सलाहकार पैनल के सदस्यों के रूप में नियुक्त करती है :—

1. श्रीमती सलिका अनंता लक्ष्मी
2. श्री एस. वेणुगोपाल रेड्डी
3. श्रीमती ई. जया लक्ष्मी
4. श्री जल्ला प्रसाद यादव
5. श्री जी. चंद्रशेखर रेड्डी
6. श्रीमती मदपाती सरलारानी
7. श्री श्रीनिवास राजू
8. श्री पी सुनील कुमार गौड़
9. श्री गोपी नायडू
10. श्री वीनूकोंडा नागराजू
11. श्रीमती पालुरी सेषुमांबा
12. श्रीमती वी. चूड़ामणि
13. श्री बी. नारसी रेड्डी

[फा. सं. 809/3/2004-एफ (सी.)]

पी.पी. नायर, डैस्क अधिकारी

New Delhi, the 9th June, 2005

S.O. 2303.—In continuation of this Ministry's Notifications of even number dated 5th February, 2005, 18th February, 2005 and 10th March, 2005 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to appoint the following persons as members of the Hyderabad Advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier :

1. Smt. Salika Anantha Lakshmi
2. Shri S. Venu Gopal Reddy
3. Smt. E. Jaya Lakshmi
4. Shri Jalla Prasad Yadav
5. Shri G. Chandra Sekhar Reddy
6. Smt. Madapati Sarlarani
7. Shri Srinivasa Raju
8. Shri P. Sunil Kumar Goud
9. Shri Gopi Naidu
10. Shri Vinukonda Nagaraju
11. Smt. Paluri Seshumamba
12. Smt. V. Choodamani
13. Shri B. Narsi Reddy

[F.No. 809/3/2004-F(C)]

P. P. NAIR, Desk Officer

नई दिल्ली, 15 जून, 2005

का. आ. 2304.—चलचित्रकी (प्रमाणन) नियमावली, 1983 के नियम 7 व 8 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 का 37) की धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, केन्द्रीय फिल्म प्रमाणन बोर्ड के तिरुवनंतपुरम् सलाहकार पैनल का गठन करती है तथा निम्नलिखित व्यक्तियों को तत्काल प्रभाव से दो वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, के लिए उक्त पैनल के सदस्यों के रूप में नियुक्त करती है। यह इस मंत्रालय की दिनांक 4 फरवरी, 2004 की समसंख्यक अधिसूचना के अधिक्रमण में होगी।

1. श्री के. आनन्द कुमार
2. प्रो. के. बालाकृष्णन्
3. डॉ. लिजे फ्रांसिस
4. श्री के. कृष्ण कुमार
5. श्री टेनी जोस

6. श्री के. जे. राफी
7. श्री एन. श्रीकुमार
8. श्री टी. के. राधाकृष्णन पिल्लै
9. श्री अनिल अक्कारा
10. श्री जोसफ बाबू वी.वी.
11. श्री वी.वी. प्रकाश
12. श्री के. शिवरमण
13. श्री पी. मोहम्मद अली
14. श्री के.एस. शाहजी
15. श्री बी. बाबू प्रसाद
16. श्री एम. वीरन कुट्टी
17. श्री ई बी आई जार्ज
18. श्री सतीशन् पाचेनी
19. श्री थानकामोनी दिवाकरन्
20. श्रीमती दीप्ति प्रदीप कुमार
21. श्री एम.के. शिवशंकरन्
22. श्री शरत् चन्द्रन
23. श्री पी.एस. बाबुराज
24. श्री सूर्या कृष्णा मूर्ति
25. श्री जोसफ मैथ्यु
26. श्री रोज मैरी
27. श्री एल. रामचन्द्रन
28. श्रीमती लक्ष्मी नायर
29. श्री एम एफ थॉमस
30. श्रीमती वाणी विश्वनाथ
31. श्रीमती बिंदु बालाकृष्णन
32. श्री पालोड रवि
33. श्री आर.एस. प्रदीप कुमार
34. सुश्री गिरिजा सेतुनाथ
35. श्री बी.के. जोसफ
36. सुश्री अनीता करनावार

[फा. सं. 809/9/2004-एफ (सी.)]

पी.पी. नायर, डैस्क अधिकारी

New Delhi, the 15th June, 2005

S.O. 2304.—In exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to constitute the Thiruvananthapuram Advisory panel of the Central Board of Film Certification and to appoint the following persons as members of the said panel with immediate effect for a period of two years or until further orders, whichever is earlier. This supersedes this Ministry's notification of even number dated 4th February, 2004.

1. Shri K. Ananda Kumar
2. Prof. K. Balakrishnan
3. Dr. Lizzy Francis
4. Shri K. Krishna Kumar
5. Shri Tenny Jose
6. Shri K.J. Raphy
7. Shri N. Sreekumar
8. Shri T.K. Radhakrishnan Pillai
9. Shri Anil Akkara
10. Shri Joseph Babu V.V.
11. Shri V.V. Prakash
12. Shri K. Sivaraman
13. Shri P. Mohammed Ali
14. Shri K.S. Shaji
15. Shri B. Babu Prasad
16. Shri M. Veeran Kutty
17. Shri E.B.I. George
18. Shri Satheesan Pacheni
19. Shri Thankamoni Divakaran
20. Smt. Deepthi Pradeep Kumar
21. Shri M.K. Sivsankaran
22. Shri Sarath Chandran
23. Shri P.S. Baburaj
24. Shri Soorya Krishna Moorthi
25. Shri Joseph Mathew

26. Shri Rose Mary
27. Shri L. Ramachandran
28. Smt. Lakshmi Nair
29. Shri M.F. Thomas
30. Smt. Vani Vishwanath
31. Smt. Bindu Balakrishnan
32. Shri Palode Ravi
33. Shri R.S. Pradeep Kumar
34. Ms. Girija Sethunath
35. Shri V.K. Joseph
36. Ms. Anita Karnavar

[F. No. 809/9/2004-F(C)]

P. P. NAIR, Desk Officer

नई दिल्ली, 16 जून, 2005

का. आ. 2305.—इस मंत्रालय की दिनांक 7 जून, 2005 की समसंख्यक अधिसूचना में आंशिक संशोधन करते हुए और चलचित्रकी (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्रकी अधिनियम, 1952 (1952 की 37) की धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री बी.एस. नायडू को श्री बालासुब्रमण्यन के स्थान पर तत्काल प्रभाव से दो वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, केन्द्रीय फिल्म प्रमाणन बोर्ड के चैन्सलर सलाहकार पैनल के सदस्य के रूप में नियुक्त करती है।

[फा. सं. 809/4/2004-एफ (सी)]

पी. पी. नायर, डैस्क अधिकारी

New Delhi, the 16th June, 2005

S.O. 2305.—In partial modification of this Ministry's Notification of even number dated 7th June, 2005 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to appoint Shri V. S. Naidu as a Member of the Chennai Advisory panel of the Central Board of Film Certification with immediate effect for a period of two years or until further orders, whichever is earlier, in place of Shri Balasubramanian.

[F. No. 809/4/2004-F(C)]

P. P. NAIR, Desk Officer

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 9 जून, 2005

का.आ. 2306.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (को) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	14968:2001	संशोधन संख्या 1—मार्च, 2005	मार्च, 2005
2.	1681:1998	संशोधन संख्या 1—अप्रैल, 2005	अप्रैल, 2005

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : टी एक्स डी/जी-25]

एम. एस. वर्मा, निदेशक एवं प्रमुख (टीएक्सडी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 9th June, 2005

S.O. 2306.—In pursuance of clause (b) of sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 14968:2001	Amendment No. 1—March, 2005	March, 2005
2.	IS 1681:1998	Amendment No. 1—April, 2005	April, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. : TXD/G-25]

M. S. VERMA, Director and Head (Textiles)

नई दिल्ली, 10 जून, 2005

का.आ. 2307.— भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गए हैं :

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4402:2005/आई एस ओ 1107:2003 मछली पकड़ने के जाल का कपड़ा-मूल शब्द और परिभाषाएँ (दूसरा पुनरीक्षण)	आई एस 4402:1993/ आई एस ओ 1107:1974	मई, 2005
2.	आई एस 5815 (भाग 5) : 2005/आई एस ओ 1806:2002 मछली पकड़ने का जाल-जाल बनाने के धागों का टूटना, भार और गाँठ टूटना ज्ञात करना (दूसरा पुनरीक्षण)	आई एस 5815:1993/ आई एस ओ 1806:1973	मई, 2005
3.	आई एस 15565:2005 वस्त्रादि-परीक्षण विधि- रंगों में फ्री बेन्जीडीन का मूल्यांकन करना	—	मार्च, 2005
4.	आई एस 15513 (भाग 1):2005/आई एस ओ 10787-1:1994 वस्त्रादि मशीनरी और उपसाधन हिल्ड फ्रेम - भाग 01 छड़ की सहायता से फ्रेम पटरे पर सीधी लगी हिल्ड छड़-समन्वित आयाम	—	जनवरी, 2005
5.	आई एस 15513 (भाग 2):2005/आई एस ओ 10787-2:1994 वस्त्रादि मशीनरी और उपसाधन हिल्ड फ्रेम - भाग 02 छड़ की सहायता से फ्रेम पटरे में लगी हिल्ड छड़-समन्वित आयाम	—	जनवरी, 2005
6.	आई एस 15513 (भाग 3):2005/आई एस ओ 10787-3:1994 वस्त्रादि मशीनरी और उपसाधन हिल्ड फ्रेम - भाग 03-हिल्ड फ्रेम की गाइड	—	जनवरी, 2005

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : टीएक्सडी/जी-25]

एम. एस. वर्मा, निदेशक एवं प्रमुख (टीएक्सडी)

New Delhi, the 10th June, 2005

S.O. 2307.—In pursuance of clause (b) of Sub-rule (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of Indian Standards, if any, Superseded by the New Indian Standard	Date of established
(1)	(2)	(3)	(4)
1.	IS 4402:2005/ISO 1107:2003 Textiles - Fishing nets - Netting - Basic terms and definitions (Second Revision)	IS:4402:1993/ISO 1107:1974	May, 2005
2.	IS 5815 (Part 5):2005/ISO 1806: 2002 Fishing nets - Determination of mesh breaking force of netting (Second Revision)	IS:5815 (Part 5): 1993/ISO 1806:1973	May, 2005
3.	IS 15565:2005 Textiles - Methods of test - Estimation of free benzidine in dyes	—	March, 2005
4.	IS 15513 (Part 1):2004/ISO 10787- 1:1994 Textiles Machinery and Accessories - Heald frames Part 1 Heald carrying rod fixed to the frame stave by rod support - Coordinated dimensions	—	January, 2005
5.	IS 15513 (Part 2):2004/ISO 10787- 2:1994 Textiles Machinery and Accessories - Heald frames Part 2: Heald carrying rod fixed directly on the frame stave Coordinated dimensions	—	January, 2005
6.	IS 15513 (Part 3):2004/ISO 10787- 3:1994 Textiles Machinery and Accessories - Heald frames-Part 3: Guide for heald frames	—	January, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolcatta, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref.: TXD/G-25]

M.S. VERMA, Director and Head (Textiles)

नई दिल्ली, 27 जून, 2005

का.आ. 2308.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 6 के उपविनियम (3) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा नीचे अनुसूची में दिये गये उत्पादों की मुहरांकन शुल्क अधिसूचित करता है :

अनुसूची

भारतीय मानक सं.	भाग	अनु.	वर्ष	उत्पाद	इकाई	न्यूनतम मुहरांकन शुल्क		इकाई दर	स्लैब-1 इकाइयाँ		इकाई दर	स्लैब-2 इकाइयाँ		इकाई शेष	प्रचालन तिथि
						बड़े पैमाने पर (रु.)	छोटे पैमाने पर (रु.)		स्लैब-1 इकाइयाँ	(रु.)		स्लैब-2 इकाइयाँ	(रु.)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14		
10914	2	0	1991	स्वचल वाहन-हवा भरे टायर तिरछी प्लाई वाले-विशिष्ट भाग 2 ट्रक बस और हल्के ट्रक के टायर	1 टायर	100000	80000	2	100000	1.5	100000	1.35	20050701		
10914	3	0	1991	स्वचल वाहन-हवा भरे टायर तिरछी प्लाई वाले-विशिष्ट भाग 3 यात्री कर के टायर	1 टायर	100000	80000	2	100000	1.5	100000	1.35	20050701		

[संदर्भ : सी.एम.डी. I/13 : 10]

बलवंत राय, उप महानिदेशक (मुहर)

New Delhi, the 27th June, 2005

S.O. 2308.—In pursuance of sub-regulation (3) of regulation 6 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies the Marking for the products given in the schedule :

SCHEDULE

IS : No.	PT.	Sec.	Year	Product	UNIT	Min. Marking Fee		Unit Rate	Units In Slab-1	Unit Rate	Units In Slab-2	Unit Rate Rest	Enforcement Date
						Large Scale (Rs.)	Small Scale (Rs.)						
1	2	3	4	5	6	7	8	9	10	11	12	13	14
10914	2	0	1991	Automotive Vehicles-Pneumatic Tyres : Part 2 Truck Bus and Light Truck Tyre Diagonal Ply	1 Tyre	100000	80000	2	100000	1.5	100000	1.35	20050701
10914	3	0	1991	Automotive Vehicles-Pneumatic Tyres : Part 3 Passenger Car Tyre	1 Tyre	100000	80000	2	100000	1.5	100000	1.35	20050701

[Ref : CMD-I/13 : 10]

BALWANT RAI, Dy. Director General (Marks)

विद्युत मंत्रालय

नई दिल्ली, 22 जून, 2005

का.आ. 2309.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का अधिनियम सं. 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, प्रबंधक (सिविल) चमेरा पावर स्टेशन, स्टेज-I, खैरी, हिमाचल प्रदेश को, जो सरकार के राजपत्रित अधिकारी के समतुल्य अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है जो उक्त अधिनियम के द्वारा या उसके अधीन अपनी अधिकारिता की स्थानीय सीमाओं के भीतर प्रदत्त शक्तियों का प्रयोग और संपदा अधिकारी पर अधिरोपित कर्तव्यों का

पालन करेगा और उक्त प्रयोजनों के लिए भारत सरकार के विद्युत मंत्रालय की अधिसूचना सं. का.आ. 1250, तारीख 27-4-2004, जो भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii), तारीख 29-5-2004 में प्रकाशित की गई थी, में निम्नलिखित संशोधन करती है, अर्थात् :—

संशोधन

1. पूर्वोक्त कानूनी आदेश में, “नेशनल हाइड्रोइलैक्ट्रिक पावर कारपोरेशन लिमिटेड (एन.एच.पी.सी.) के अधिकारी” पद के स्थान पर “प्रबंधक (सिविल), चमेरा पावर स्टेशन, स्टेज-I, खैरी, हिमाचल प्रदेश” पद रखा जाएगा।
2. उक्त अधिसूचना के नीचे सारणी के स्तंभ 1 में, “श्री रंजन नारंग ज्येष्ठ प्रबंधक (सिविल)” प्रविष्टि के स्थान पर “श्री एस.एल. शर्मा, प्रबंधक (सिविल)” प्रविष्टि रखी जाएगी।

[फा.सं. 16/16/97-डी ओ(एनएचपीसी)]

राजेश वर्मा, निदेशक (एच-I)

MINISTRY OF POWER

New Delhi, the 22nd June, 2005

S.O. 2309.—In exercise of the powers conferred by Section 3 of the Public/Premises (Eviction of Un-authorized Occupants) Act, 1971 (Act No. 40 of 1971), the Central Government hereby appoints the Manager (Civil), Chamera Power Station Stage-I, Khairi, Himachal Pradesh, an Officer equivalent to the rank of Gazetted Officer of the Government, to be an Estate Officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties, imposed on Estate Officers by or under the said Act, within the local limits of his jurisdiction and for the said purpose make the following amendments to the notification of the Government of India in the Ministry of Power, number S.O. 1250 dated 27-4-2004, published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 29-5-2004, namely :—

AMENDMENTS

1. In the aforesaid statutory order for the expression “Officer of National Hydroelectric power Corporation Ltd. (NHPC)” the expression “Manager (Civil), Chamera Power Station Stage-I, Khairi, Himachal Pradesh” shall be substituted.
2. In the table below the said notification, in column 1 for the entry “Shri Rajan Narang, Senior Manager (Civil)” the entry “Shri S.L. Sharma, Manager (Civil)” shall be substituted.

[F. No. 16/16/97-DO(NHPC)]

RAJESH VERMA, Director (H-I)

कोयला मंत्रालय

आदेश

नई दिल्ली, 21 जून, 2005

का.आ. 2310.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उपधारा 1(क) के अधीन पौनी विस्तार विवृत परियोजना, बल्लारपुर क्षेत्र, जिला चंद्रपुर (महाराष्ट्र) के लिए जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 3293 तारीख 16 दिसम्बर, 2004 जो भारत के राजपत्र, भाग-II, खंड 3, उपखंड (ii) तारीख 25 दिसम्बर, 2004 में प्रकाशित की गई थी उक्त अधिसूचना से संलग्न अनुसूची में वर्णित ऐसी भूमि (जिन्हें इसमें इसके पश्चात् उक्त भूमि कहा गया है) में या उस पर के अधिकार, उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विल्लंगमों से मुक्त होकर, आलांतिक रूप से केन्द्रीय सरकार में निहित हो गए हैं;

और, केन्द्रीय सरकार का यह समाधान हो गया है, कि वेस्टर्न कोलफील्ड्स लिमिटेड, नागपुर (जिसे इसमें इसके पश्चात् सरकारी कम्पनी कहा गया है) ऐसे निबंधनों और शर्तों का जिन्हें केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए तैयार है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है, कि भूमि और उक्त भूमि में इस प्रकार निहित या उस पर के सभी अधिकार तारीख 25 दिसम्बर, 2004 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने के बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, सरकारी कंपनी में निहित हो जाएँगे, अर्थात् :—

1. उक्त सरकारी कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथावधारित, प्रतिकर, व्याज, नुकसान और वैसी ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी।
2. उक्त सरकारी कम्पनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजनों के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त किए गए व्यक्तियों

- के संबंध में उपगत सभी व्यय सरकारी कम्पनी वहन करेगी और वैसे ही उक्त भूमि में या उस पर इस प्रकार निहित अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जैसे अपील आदि की बाबत उपगत, सभी व्यय भी सरकारी कम्पनी वहन करेगी;
3. उक्त सरकारी कम्पनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, जो उक्त भूमि में या उस पर इस प्रकार निहित होने वाले पूर्वोक्त अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, क्षतिपूर्ति करेगी;
 4. उक्त सरकारी कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि में अधिकारों को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी; और
 5. उक्त सरकारी कम्पनी, ऐसे निर्देशों और शर्तों का, जो केन्द्रीय सरकार द्वारा जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिए दिए जाएं या अधिरोपित किए जाएं, पालन करेगी।

[सं. 43015/7/2001-पी आर आई डब्ल्यू]

बी. के. पण्डा, निदेशक

MINISTRY OF COAL**ORDER**

New Delhi, the 21st June, 2005

S.O. 2310.—Whereas on the publication of the notification of the Government of India, in the Ministry of Coal, number S.O. 3293 dated the 16th December, 2004, published in the Gazette of India, Part-II, Section 3, Sub-section (ii), dated the 25th December, 2004, issued in the name of Pauni Expansion Opencast Project, Ballarpur Area, District Chandrapur (Maharashtra) under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said lands) the lands and rights in or over the lands, described in the Schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under Sub-section (1) of Section 10 of the said Act;

And whereas the Central Government is satisfied that the Western Coalfields Limited, Nagpur (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 11 of the said Act, the Central Government hereby directs that the lands and rights in or over the said lands, so vested, shall with effect from the 25th December, 2004 instead of continuing to so vest in the Central Government, vest in the Government Company, subject to the following terms and conditions, namely :—

1. the said Government Company shall reimburse the Central Government all payments made in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act;
2. a tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the Government Company under condition (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the Government Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc., for or in connection with the rights, in or over the said lands, so vesting shall also be borne by the said Government Company;
3. the said Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the aforesaid rights in or over the said lands so vested;
4. the said Government Company shall have no power to transfer the land and rights in or over the said lands so vested to any other person without the previous approval of the Central Government; and
5. the said Government Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas of the said land as and when necessary.

[No. 43015/7/2001/PRIW]

B. K. PANDA, Director

नई दिल्ली, 21 जून, 2005

का.आ. 2311.—केन्द्रीय सरकार को प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लेखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें कोयले का पूर्वोक्त करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं. सी-1(ई)/III/जे.जे.एम.आर./730-0305, तारीख 30 मार्च, 2005 का निरीक्षण वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), कोल इस्टेट सिविल लाइन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में या कलेक्टर, चंद्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता के कार्यालय में किया जा सकता है;

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिनों के भीतर ओ.एस.डी. (एल० एण्ड आर०) राजस्व विभाग, वेस्टर्न कोलफील्ड्स लिमिटेड, कोल इस्टेट, सिविल लाइन्स, नागपुर-440001(महाराष्ट्र) को भेज सकेंगे।

अनुसूची

एकोणा-I ओ सी खंड

माजरी क्षेत्र, जिला चंद्रपुर (महाराष्ट्र)

(रेखांक सं० सी-1(ई)III/जे.जे.एम.आर./730-0305, तारीख 30 मार्च, 2005)

क्रम सं०	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
1	2	3	4	5	6	7
1.	एकोणा	11	वरोरा	चन्द्रपुर	50.17	भाग
2.	मार्डा	11	वरोरा	चन्द्रपुर	40.65	भाग
3.	वनोजा	11	वरोरा	चन्द्रपुर	18.60	भाग
4.	चरूर (खटी)	10	वरोरा	चन्द्रपुर	144.79	भाग

कुल क्षेत्र : 254.21 हेक्टर (लगभग)

या

628.15 एकड़ (लगभग)

सीमा वर्णन :—

क—ख रेखा "क" बिन्दु से आरम्भ होती है और ग्राम एकोणा, डाइवल नदी के पूर्वी तट के साथ-साथ ग्राम एकोणा और चरूर (खटी) से होकर गुजरती है। फिर नाले के दक्षिण तट के साथ-साथ आगे बढ़ती है और बिन्दु "ख" पर मिलती है।

ख—ग रेखा ग्राम चरूर (खटी) से और ग्राम चरूर (खटी) और वनोजा की सम्मिलित ग्राम सीमा के साथ-साथ आगे बढ़ती है, पी०डब्ल्यू०डी० सड़क को पार करती है और फिर वनोजा ग्राम से होकर आगे बढ़ती है, ग्राम सड़क को पार करती है फिर ग्राम वनोजा और मार्डा की सम्मिलित सीमा के साथ-साथ आगे बढ़ती है और बिन्दु "ग" पर मिलती है।

ग—क रेखा ग्राम मार्डा से होकर गुजरती है फिर ग्राम सड़क तथा ग्राम मार्डा और एकोणा की सम्मिलित सीमा को पार करती है फिर ग्राम एकोणा से होकर आगे बढ़ती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं. 43015/6/2005—पी आर आई डब्ल्यू]

बी. के. पण्डा, निदेशक

New Delhi, the 21st June, 2005

S.O. 2311.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing No. C-1 (E)III/JJMR/730-0305 dated the 30th March, 2005 of the area covered by this notification can be inspected in the Office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra) or in the office of the Collector Chandrapur (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Kolkata.

All persons interested in the lands covered by this notification shall deliver all maps charts and other documents referred to in Sub-section (7) of Section 13 of the said Act, to the O.S.D. (L&R), Revenue Department, Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra) within ninety days from the date of publication of this notification.

SCHEDULE

**YEKONA—IOC BLOCK, MAJRI AREA
DISTRICT CHANDRAPUR (Maharashtra)**

Plan No. C-1(E)III/JJMR/730-0305 dated the 30th March, 2005.

Serial Number	Name of Village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1	2	3	4	5	6	7
1.	Yekona	11	Warora	Chandrapur	50.17	Part
2.	Marda	11	Warora	Chandrapur	40.65	Part
3.	Wanoja	11	Warora	Chandrapur	18.60	Part
4.	Charur (Khati)	10	Warora	Chandrapur	144.79	Part
Total area				:	254.21 hectares (Approximately)	
					or	
					628.15 acres (Approximately)	

Boundary description :—

- A—B** : Line starts from point 'A' through villages Yekona along the Eastern Bank of Daiwal River of Village Yekona and Charur (Khati) then proceeds along with the Southern Bank of Nallah and meets at point 'B'.
- B—C** : Line passes through Village Charur (Khati) and proceeds along the common Village boundary of Villages Charur (Khati) and Wanoja crosses PWD Road then proceeds through Village Wanoja crosses Villages road then proceeds along the common village boundary of villages Wanoja and Marda and meets at point 'C'.
- C—A** : Line passes through Village Marda then crosses Village road and common Village boundary of Villages Marda and Yekona then proceeds through Village Yekona and Meets starting point 'A'.

[No. 43015/6/2005/PRIW]

B. K. PANDA, Director

आदेश

नई दिल्ली, 21 जून, 2005

का.आ. 2312.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उप-धारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 3095 तारीख 24 नवम्बर, 2004 के भारत के राजपत्र, भाग-II, खंड 3, उप-खंड (ii) तारीख 4 दिसम्बर, 2004 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के अधिकार (जिसे इसमें इसके पश्चात् उक्त अधिकार कहा गया है) उक्त अधिनियम की धारा 10 की उप-धारा (1) के अधीन, सभी विल्लंगमों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए थे;

और, केन्द्रीय सरकार का यह समाधान हो गया है, कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, बिलासपुर (छत्तीसगढ़) सरकारी कम्पनी (जिसे इसमें इसके पश्चात् सरकारी कम्पनी कहा गया है) ऐसे निबंधनों और शर्तों का जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिए रजामंद है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है, कि इस प्रकार निहित उक्त भूमि और उक्त भूमि में या उस पर के अधिकार तारीख 4 दिसम्बर, 2004 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए उक्त कम्पनी में निहित हो जाएँगे, अर्थात् :—

1. उक्त कम्पनी, उक्त अधिनियम के अधीन अवधारित, प्रतिकर, ब्याज, नुकसानी और वैसी ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी।
2. उक्त कम्पनी द्वारा शर्तें (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिए एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता के लिए नियुक्त व्यक्तियों के संबंध में उपगत सभी व्यय, उक्त कम्पनी वहन करेगी और इसी प्रकार, निहित उक्त भूमि में या उस पर के अधिकारों के लिए या उनके संबंध में सभी विधिक कार्यवाहियों, जैसे अपील आदि की बाबत उपगत, सभी व्यय भी उक्त कम्पनी वहन करेगी।
3. उक्त कम्पनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हो, क्षतिपूर्ति करेगी।
4. उक्त कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी; और
5. उक्त कम्पनी, ऐसे निर्देशों और शर्तों का, जो केन्द्रीय सरकार द्वारा जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिए दिए जाएँ, या अधिरोपित की जाएँ, पालन करेगी।

[सं. 43015/19/2000-पी. आर. आई. डब्ल्यू.]

बी. के. पण्डा, निदेशक

ORDER

New Delhi, the 21st June, 2005

S.O. 2312.—Whereas on the publication of the notification of the Government of India, in the Ministry of Coal, number S.O. 3095 dated the 24th November, 2004, in Part-II, Section 3, Sub-section (ii), of the Gazette of India, dated 4th December, 2004, issued under Sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the rights in or over the lands, described in the Schedule appended to the said notification (hereinafter referred to as the said rights) vested absolutely in the Central Government free from all encumbrances under Sub-Section(1) of Section 10 of the said Act;

And whereas the Central Government is satisfied that the South Eastern Coalfields Limited, Bilaspur (Chhattisgarh), a Government Company (hereinafter referred to as the Company), is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 11 of the said Act, the Central Government hereby directs that the said rights in or over the lands, so vested, shall with effect from the 4th December, 2004 instead of continuing to so vest in the Central Government, vest in the said Company, subject to the following terms and conditions, namely :—

1. The said Company shall reimburse the Central Government all payments made in respect of compensation, interest, damages and the like, as determined under the provisions of the said Act;
2. A tribunal shall be constituted for the purpose of determining the amounts payable to the Central Government by the said Company under Condition (1), and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the said Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals, etc., for or in connection with the rights, in or over the said lands, so vesting shall also be borne by the said Company;
3. the said Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the aforesaid rights in or over the said lands so vested;
4. The said Company shall have no power to transfer the said lands to any other person without the previous approval of the Central Government; and
5. The said Company shall abide by such directions and conditions as may be given or imposed by the Central Government for particular areas as and necessary.

[No. 43015/19/2000-PRIW]

B. K. PANDA, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 22 जून, 2005

का.आ. 2313.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1398(अ) एवं 1399(अ) तारीख 21-12-2004 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा राजस्थान राज्य में विजयपुर-कोटा एवं स्पर पाइपलाइनों के माध्यम से पेट्रोलियम गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 06-05-2005 तक उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

अतः, अब सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनें बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइनें बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइनें बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
बारां	अन्ता	पलसवा	135	0.1245
			140	0.0040

1	2	3	4	5
बारां	अन्ता	पलसवा	82	0.0740
			81	0.0048
			70	0.0560
			80	0.0718
			79	0.0146
			78	0.0010
			72	0.0468
			73	0.0294
			64	0.0020
			19	0.0600
			21	0.0140
			26	0.0648
			26/1003	0.0047
			25	0.0826
			24	0.1098
			23	0.0416
			22	0.0424
			योग	0.8488
बारां	अन्ता	काचरी	424	0.0052
			424/468	0.0204
			423/480	0.1096
			405	0.2807
			396	0.6243
			373	0.3120
			374	0.0350
			367	0.3030
			353	0.2880
			354	0.1670
			355	0.7940
			349	0.2140
			349/429	0.1560
			347	0.1720
			345	0.1280
			346	0.2890
			335	0.4340
			334	0.4950
			425/477	0.0830
			योग	4.9102

1	2	3	4	5	1	2	3	4	5
बारां	अन्ता	चकशाहबाद	180	0.0720	बारां	अन्ता	अन्ता	180/1924	0.0188
			179	0.0970				180	0.1026
			योग	0.1690				179	0.0082
बारां	अन्ता	तामखेड़ा	50	0.0295				155	0.0073
			54	0.0120				156	0.1426
			49	0.0326				158	0.1373
			57	0.0482				159	0.0598
			58	0.1080				160	0.0004
			46	0.0500				164	0.0404
			59	0.0290				165	0.1393
			60	0.1566				166	0.0280
			68	0.0010				171	0.0030
			62	0.0950				170	0.0208
			67	0.0108				169	0.0296
			63	0.1504				183	0.0010
			65	0.0004				184	0.0620
			64	0.0596				188	0.0382
			154	0.0246				189	0.0113
			181	0.0492				190	0.0232
			184	0.0010				187	0.0311
			183	0.0992				191	0.0912
			182	0.0560				423/1947	0.1150
			185	0.0198				424	0.0385
			186	0.0774				425	0.0010
			187	0.1004				428	0.0370
			189	0.7250				429	0.0298
			236/799	0.0240				430	0.0078
			236	0.3240				431	0.0240
			235	0.1800				432	0.0330
			234	0.1850				434	0.0040
			233	0.1260				436	0.1270
			241	0.2260				437	0.0475
			242	0.4470				441	0.0010
			252	0.5400				440	0.1862
			251	0.1470				445	0.3052
			246	0.4500				448	0.0681
			259	0.0020				449	0.0560
			250	0.7290				450	0.0067
			266/781	0.0420				466	0.1538
			265	0.0040				467	0.1110
			266	0.0100				468	0.1002
			योग	5.3717					

1	2	3	4	5	1	2	3	4	5
बारां	अन्ता	अन्ता	469	0.1139	बारां	अन्ता	नागदा	532	0.0020
			470	0.0004				539	0.0698
			480	0.1032				538	0.0516
			482	0.1644				533	0.1314
			480/1881	0.0346				534	0.2012
			478	0.0140				1345	0.1538
			549	0.0896				1346	0.0020
			551	0.0002				1344	0.0840
			548	0.1841				1346/1572	0.0020
			545	0.0760				1343	0.0186
			546	0.0120				1204	0.1392
			योग	3.2413				1207	0.0558
		बमोरी	13	0.0234				1211	0.0198
			10	0.0860				1210	0.0093
			11	0.1808				1209	0.0382
			20/1065	0.0212				1212	0.0396
			22	0.0278				1213	0.0798
			76	0.0984				1215	0.0298
			77	0.0818				1216	0.0612
			74	0.0216				1201	0.0096
			82	0.0872				1200	0.0414
			83	0.0625				1199	0.0131
			84	0.0646				1175	0.0434
			88	0.2032				1176	0.1178
			87	0.0254				1178	0.0002
			54	0.0306				1177	0.1846
			योग	1.0145				1181	0.0452
		नागदा	424	0.7257				1191	0.0092
			425	0.0010				1190	0.0674
			434/1577	0.0050				1187	0.0966
			435	0.6213				1185	0.0142
			461	0.1150				1184	0.0320
			528	0.0718				1183	0.0082
			527	0.0120				योग	3.9020
			525	0.2184	बारां	अन्ता	पंलायथा	1230	0.7373
			529	0.1026				1221	0.5626
			531	0.0514				योग	1.2999
			543	0.0080					
			540	0.0978					

[फाइल सं. एल-14014/9/04-जी.पी.]

स्वामी सिंह, निदेशक

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 22nd June, 2005

S.O. 2313.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1398(E) and 1399(E) dated 21-12-2004 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of Natural Gas through Vijaipur-Kota and Spur pipelines in the State of Rajasthan by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 06-05-2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government has, after considering the said report decided to acquire the Right of User in the lands specified in the Schedule;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the said land specified in the Schedule is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of the publication of this declaration, in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for ROU (In Hectares)
1	2	3	4	5
Baran	Anta	Palsava	135	0.1245
			140	0.0040
			82	0.0740
			81	0.0048
			70	0.0560

1	2	3	4	5
Baran	Anta	Palsava	80	0.0718
			79	0.0146
			78	0.0010
			72	0.0468
			73	0.0294
			64	0.0020
			19	0.0600
			21	0.0140
			26	0.0648
			26/1003	0.0047
			25	0.0826
			24	0.1098
			23	0.0416
			22	0.0424
			TOTAL	0.8488
	Kachari		424	0.0052
			424/468	0.0204
			423/480	0.1096
			405	0.2807
			396	0.6243
			373	0.3120
			374	0.0350
			367	0.3030
			353	0.2880
			354	0.1670
			355	0.7940
			349	0.2140
			349/429	0.1560
			347	0.1720
			345	0.1280
			346	0.2890
			335	0.4340
			334	0.4950
			425/477	0.0830
			TOTAL	4.9102
	Chaksahabad	180		0.0720
		179		0.0970
		TOTAL		0.1690

1	2	3	4	5	1	2	3	4	5
Baran	Anta	Tamkheda	50	0.0295	Baran	Anta	Anta	180/1924	0.0188
			54	0.0120				180	0.1026
			49	0.0326				179	0.0082
			57	0.0482				155	0.0073
			58	0.1080				156	0.1426
			46	0.0500				158	0.1373
			59	0.0290				159	0.0598
			60	0.1566				160	0.0004
			68	0.0010				164	0.0404
			62	0.0950				165	0.1393
			67	0.0108				166	0.0280
			63	0.1504				171	0.0030
			65	0.0004				170	0.0208
			64	0.0596				169	0.0296
			154	0.0246				183	0.0010
			181	0.0492				184	0.0620
			184	0.0010				188	0.0382
			183	0.0992				189	0.0113
			182	0.0560				190	0.0232
			185	0.0198				187	0.0311
			186	0.0774				191	0.0912
			187	0.1004				423/1947	0.1150
			189	0.7250				424	0.0385
			236/799	0.0240				425	0.0010
			236	0.3240				428	0.0370
			235	0.1800				429	0.0298
			234	0.1850				430	0.0078
			233	0.1260				431	0.0240
			241	0.2260				432	0.0330
			242	0.4470				434	0.0040
			252	0.5400				436	0.1270
			251	0.1470				437	0.0475
			246	0.4500				441	0.0010
			259	0.0020				440	0.1862
			250	0.7290				445	0.3052
			266/781	0.0420				448	0.0681
			265	0.0040				449	0.0560
			266	0.0100				450	0.0067
			TOTAL	5.3717				466	0.1538
								467	0.1110
								468	0.1002

1	2	3	4	5	1	2	3	4	5
Baran	Anta	Anta	469	0.1139	Baran	Anta	Nagda	532	0.0020
			470	0.0004				539	0.0698
			480	0.1032				538	0.0516
			482	0.1644				533	0.1314
			480/1881	0.0346				534	0.2012
			478	0.0140				1345	0.1538
			549	0.0896				1346	0.0020
			551	0.0002				1344	0.0840
			548	0.1841				1346/1572	0.0020
			545	0.0760				1343	0.0186
			546	0.0120				1204	0.1392
			TOTAL	3.2413				1207	0.0558
	Bamori		13	0.0234				1211	0.0198
			10	0.0860				1210	0.0093
			11	0.1808				1209	0.0382
			20/1065	0.0212				1212	0.0396
			22	0.0278				1213	0.0798
			76	0.0984				1215	0.0298
			77	0.0818				1216	0.0612
			74	0.0216				1201	0.0096
			82	0.0872				1200	0.0414
			83	0.0625				1199	0.0131
			84	0.0646				1175	0.0434
			88	0.2032				1176	0.1178
			87	0.0254				1178	0.0002
			54	0.0306				1177	0.1846
			TOTAL	1.0145				1181	0.0452
	Nagda		424	0.7257				1191	0.0092
			425	0.0010				1190	0.0674
			434/1577	0.0050				1187	0.0966
			435	0.6213				1185	0.0142
			461	0.1150				1184	0.0320
			528	0.0718				1183	0.0082
			527	0.0120				TOTAL	3.9020
			525	0.2184			Palaita	1230	0.7373
			529	0.1026				1221	0.5626
			531	0.0514				TOTAL	1.2999
			543	0.0080					
			540	0.0978					

[File No. L-14014/9/04-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 22 जून, 2005

का.आ. 2314.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1398(अ) एवं 1399(अ) तारीख, 21-12-2004 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा राजस्थान राज्य में विजयपुर-कोटा एवं स्पर पाइपलाइनों के माध्यम से पेट्रोलियम गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 06-05-2005 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनें बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइनें बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, पाइपलाइनें बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
कोटा	दीगोद	ककरावदा	215/235	0.2259
			197	0.1969

1	2	3	4	5
कोटा	दीगोद	ककरावदा (जारी)	196 200 201 203 193 192 191 186	0.0276 0.3748 0.0200 0.0996 0.1016 0.0914 0.0746 0.2894
			योग	1.5018
	चीसा		158 159 154 153 152 100 99 98 97 96 95 94 160 174 176 177 178 211 216 215 214/378 214 213	0.0210 0.1998 0.0998 0.1256 0.0514 0.1290 0.0588 0.1368 0.1170 0.0990 0.1044 0.1852 0.0522 0.0970 0.0997 0.1060 0.1516 0.0348 0.0008 0.0402 0.0620 0.1150 0.0374
			योग	2.1245
	रूग्गी		176 175 174 172 171 170/285 170 159 167/283	0.0100 0.1053 0.0900 0.2312 0.0192 0.0344 0.1032 0.1290 0.0280

1	2	3	4	5	1	2	3	4	5
कोटा	दीगोद	रूगगी	160	0.0225	कोटा	दीगोद	पाचड़ा	212	0.0360
		(जारी)	166	0.1032			की झोपड़ी	211	0.1450
			165	0.0218			(जारी)	210	0.0370
			133	0.0749				213	0.0360
			130	0.0080				218	0.1780
			131	0.1330				217	0.1620
			132	0.1490				226	0.0420
			128	0.0638				225	0.1620
			127	0.0040				224	0.0020
			122	0.0560				227	0.4660
			121	0.1838				259	0.1170
			111	0.0020				258	0.1470
			110	0.1108				257	0.0240
			109	0.0936				256	0.0300
			105	0.1024				255	0.3100
			98	0.1790				254	0.0010
			96	0.1876				253	0.4740
			93	0.0896				252	0.2340
			92	0.1688				251	0.0010
			87	0.0542				योग	3.7780
			86	0.0226					
		योग	2.5809				बल्लभपुरा	33	0.0192
								32/407	0.2040
		गढेपान	325	0.0420				32	0.2700
			349/363	0.0120				32/406	0.2270
			349	0.2686				31	0.0439
			347	0.0082				28	0.0020
			344	0.0150				30	0.0870
			348	0.0150				25	0.1610
		योग	0.3608					52	0.1683
		पाचड़ा की	170	0.0010				77	0.0350
		झोपड़ी	194	0.0270				81	0.0910
			171	0.0210				78	0.0810
			193	0.3280				79	0.1350
			193/319	0.1480				144	0.2541
			195	0.1310				89/412	0.0100
			191	0.0020				129/403	0.0650
			202	0.0120				129	0.900
			204	0.0800				128	0.0020
			203	0.0030				130	0.1300
			207	0.2820				134	0.0420
			208	0.0010				135	0.1280
			209	0.1380				189	0.1910

1	2	3	4	5
कोटा	दीगोद	सिमलिया	907	0.2180
		(जारी)	906	0.2360
			864	0.1150
			863/937	0.1000
			859	0.2520
			858	0.0040
			914	0.0240
			852	0.1600
			842/941	0.5550
			842/940	0.2010
			834	0.0930
			830	0.0560
			832	0.0860
			761	0.0680
			763	0.0750
			762	0.0330
			769	0.0830
			768	0.1300
			771	0.0710
			772	0.0260
			778	0.2540
			777	0.0690
			656	0.0140
			621	0.2120
			629	0.1180
			627/975	0.0410
			628/976	0.0150
			627	0.0160
			628	0.0960
			615	0.5040
			615/961	0.0010
			614	0.1580
			612	0.0460
			योग	5.1680
		कराडिया	188	0.0220
			189	0.1930
			190	0.2590
			193	0.1280
			197	0.4290
			169	0.2210
			168	0.1790
			218	0.0000
			206	0.0300

1	2	3	4	5	1	2	3	4	5
कोटा	दीगोद	कराडिया	207	0.0740	कोटा	दीगोद	ब्रजपुरा	30	0.0670
			203	0.0020				27	0.2220
			235	0.0160				26	0.1770
			266	0.1230				13	0.0710
			267	0.1090				14	0.0100
			271	0.0860				15	0.0420
			272	0.0170				14/304	0.0020
			273	0.0560				16	0.4940
			298	0.0110				18	0.0600
			337	0.0030				6	0.0040
			338	0.0820				5	0.0680
			336	0.0020				3	0.0020
			335	0.0270				19	0.1750
			339	0.1470				1	0.0200
			334	0.3390				योग	1.6890
			539	0.0060			पौलाई कलां	327	0.0020
			538	0.2628				380	0.3530
			536	0.0310				330	0.2290
			535	0.2160				331	0.1380
			534	0.0910				378/731	0.1188
			533	0.0000				377	0.0770
			520	0.0320				376	0.0020
			467	0.0459				377/759	0.0770
			466	0.0320				374	0.4420
			468	0.0010				370	0.2110
			469	0.2090				369	0.0060
			470	0.1050				371	0.0860
			471	0.0895				366	0.0950
			479	0.2590				365	0.0220
			478	0.2180				364	0.1870
			482	0.1740				390/748	0.0080
			489	0.2320				389	0.0420
			490	0.0520				670	0.0080
			494	0.0080				669	0.1100
			493	0.1530				669/738	0.0220
			491	0.0020				668	0.1630
			492	0.1100				667	0.0240
			492/595	0.0200				667/724	0.0140
			योग	4.9042				636	0.0000
		ब्रजपुरा	42	0.0690				635	0.2720
			31	0.0200				640	0.1070
			29	0.1840				641	0.0850

1	2	3	4	5	1	2	3	4	5
कोटा	दीगोद	पौलाई	644	0.1900	कोटा	लाडपुरा	डायरा	373	0.0990
		कलां	645	0.0440				374	0.0120
			646	0.1610				371	0.1646
			650	0.1700				372	0.3120
			620	0.0330				362	0.1890
			622	0.0180				363	0.3530
			621	0.0883				364	0.2810
			619	0.0280				353/381	0.2200
			611	0.0443				352	0.2340
			610	0.0320				योग	1.8646
			609	0.1840					
			608	0.1880			गोदल्याहेडी	4	0.0680
			603	0.0140				8	0.0620
			535	0.2000				7	0.1810
			536	0.0960				6/596	0.1391
			538	0.1580				5	0.1480
			540	0.0630				3	0.2670
			540/726	0.0270				2	0.0380
			549	0.0800				1	0.0140
			543	0.0100				योग	0.9171
			544	0.1340					
			545	0.0330			मोरपा	2	0.5830
			176	0.1480				9	0.6000
			175	0.0400				14	0.0450
			163	0.2550				15	0.1880
			162	0.2160				16	0.2240
			159	0.2360				54	0.1540
			160	0.0100				52	0.2020
			158	0.0340				50	0.3650
			135	0.0040				51	0.1320
			134	0.0555				166	0.1370
			133	0.0470				58	0.0820
			132	0.1500				59	0.1270
			131/737	0.0040				62	0.1480
			योग	6.0959				63	0.0460
		नोहती	1	0.0230				68	0.1820
			2	0.2500				69	0.1700
			4	0.2190				74	0.3450
			5	0.5380				74/388	0.0233
			115	0.2260				73	0.0060
			5/371	0.0080				योग	3.7593
			116	0.0140					
			117	0.0070					
			योग	1.2850					

1	2	3	4	5	1	2	3	4	5
कोटा	लाडपुरा	अरनिया	177	0.3240	कोटा	लाडपुरा	रसूलपुर	117	0.1760
			185	0.2310				112	0.0560
			186	0.0020				113	0.0100
			184	0.1710				योग	1.6210
			183	0.0970			खेड़ा	141	0.0000
			179	0.1650				140	0.2440
			181	0.2790				138	0.2610
			194	0.1180				136	0.3350
			195	0.0230				135	0.1340
			175	0.0320				130	0.1550
			135	0.0950				131	-0.0250
			136	0.1510				120	0.1390
			137	0.1360				119	0.1010
			127	0.0860				99	0.0760
			126	0.0840				61	0.0010
			125	0.1920				60	0.0380
			124	0.0380				59	0.1020
			122	0.3280				57	0.0250
			121	0.0020				58	0.1060
			94	0.0420				55	0.2480
			83	0.1645				53	0.1900
			84	0.1175				45	0.0100
			78	0.0800				40	0.1860
			77	0.1720				41	0.1180
			76	0.0750				योग	2.5040
			74	0.0180				485	0.1290
			38	0.0280	कोटा	लाडपुरा	भोजपुरा	484	0.0840
			18	0.3320				490	0.0090
			15	0.2880				492	0.2930
			14	0.1810				495	0.0010
			24	0.0340				498	0.2920
			25	0.0000				509	0.0370
			योग	4.0860				510	0.1500
		रसूलपुर	137	0.2040				511	0.0380
			134	0.0170				512	0.1180
			133	0.0860				513	0.1430
			132	0.0370				514	0.0250
			130	0.0400				योग	1.3190
			249	0.0160				924	0.0600
			248	0.0660				883	0.0300
			251	0.1630	कोटा	लाडपुरा	मण्डानिया	884	0.0500
			252	0.3240				923	0.1200
			121	0.2480					
			120	0.1780					

1	2	3	4	5	1	2	3	4	5
कोटा	लाडपुरा	मण्डानिया	921	0.1440	कोटा	लाडपुरा	हाथीखेड़ा	185	0.0220
			920	0.0600				189	0.1260
			919	0.0210				190	0.0170
			918	0.1160				191	0.0630
			917	0.2560				193	0.0020
			916	0.1490				192/348	0.0100
			897	0.0020				192	0.3280
			898	0.2220				197	0.0570
			895	0.1330				201	0.5420
			646	0.0700				230	0.3990
			638	0.1310				231	0.0120
			639	0.1040				233	0.0750
			645	0.0150				233/345	0.0210
			647	0.0020				योग	1.6740
			644	0.1490					
			641	0.0130			हनुमन्तखेड़ा	45	0.0230
			642	0.0330				44	0.0280
			650	0.0230				43	0.3980
			652	0.0670				55	0.0370
			673	0.0030				51	0.1055
			676	0.0300				52	0.0040
			678	0.0170				54	0.0060
			677	0.0300				53	0.3050
			679	0.1160				61	0.1365
			680	0.1610				62	0.1900
			681	0.1540				63	0.2160
			684	0.0010				66	0.1590
			683	0.1220				योग	1.6080
			685	0.1250					
			688	0.0060			नया नोहरा	289	0.0470
			687	0.1150				285	0.1500
			697	0.0280				282	0.0890
			762	0.0120				283	0.2740
			798/1163	0.1340				287	0.0285
			798	0.0370				82	0.1510
			763	0.0500				83	0.2025
			795	0.0360				84	0.4070
			794	0.0110				योग	1.3490
			793	0.0150					
			792	0.1180					
			28	0.0400					
			योग	3.3370					

[फा. सं. एल-14014/9/04-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 22nd June, 2005

S.O. 2314.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S. O. 1398 (E) and 1399(E) dated 21-12-2004 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of Natural Gas through Vijaipur—Kota and Spur pipelines in the State of Rajasthan by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 6-5-2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipelines shall, instead of vesting in the Central Government, vest, on this date of the publication of the declaration, in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for R.O.U. (In Hectares)
1	2	3	4	5
Kota	Digod	Kakarvada	215/235	0.2259
			197	0.1969
			196	0.0276
			200	0.3748
			201	0.0200
			203	0.0996

1	2	3	4	5
Kota	Digod	Kakarvada	193	0.1016
			192	0.0914
			191	0.0746
			186	0.2894
			Total	1.5018
		Chisa	158	0.0210
			159	0.1998
			154	0.0998
			153	0.1256
			152	0.0514
			100	0.1290
			99	0.0588
			98	0.1368
			97	0.1170
			96	0.0990
			95	0.1044
			94	0.1852
			160	0.0522
			174	0.0970
			176	0.0997
			177	0.1060
			178	0.1516
			211	0.0348
			216	0.0008
			215	0.0402
			214/378	0.0620
			214	0.1150
			213	0.374
			Total	2.1245
		Ruggi	176	0.0100
			175	0.1053
			174	0.0900
			172	0.2312
			171	0.0192
			170/285	0.0344
			170	0.1032
			159	0.1290
			167/283	0.0280
			160	0.0225
			166	0.1032
			165	0.0218
			133	0.0749
			130	0.0080

1	2	3	4	5	1	2	3	4	5
Kota	Digod	Ruggi	131	0.1330	Kota	Digod	Pachada	213	0.0360
			132	0.1490			Ki Jhopadi	218	0.1780
			128	0.0638				217	0.1620
			127	0.0040				226	0.0420
			122	0.0560				225	0.1620
			121	0.1838				224	0.0020
			111	0.0020				227	0.4660
			110	0.1108				259	0.1170
			109	0.0936				258	0.1470
			105	0.1024				257	0.0240
			98	0.1790				256	0.0300
			96	0.1876				255	0.3100
			93	0.0896				254	0.0010
			92	0.1688				253	0.4740
			87	0.0542				252	0.2340
			86	0.0226				251	0.0010
			Total	2.5809				Total	3.7780
		Gadepan	325	0.0420			Ballabpura	33	0.0192
			349/363	0.0120				32/407	0.2040
			349	0.2686				32	0.2700
			347	0.0082				32/406	0.2270
			344	0.0150				31	0.0439
			348	0.0150				28	0.0020
			Total	0.3608				30	0.0870
		Pachada Ki	170	0.0010				25	0.1610
		Jhopadi	194	0.0270				52	0.1683
			171	0.0210				77	0.0350
			193	0.3280				81	0.0910
			193/319	0.1480				78	0.0810
			195	0.1310				79	0.1350
			191	0.0020				144	0.2541
			202	0.0120				89/412	0.0100
			204	0.0800				129/403	0.0650
			203	0.0030				129	0.0900
			207	0.2820				128	0.0020
			208	0.0010				130	0.1300
			209	0.1380				134	0.0420
			212	0.0360				135	0.1280
			211	0.1450				189	0.1910
			210	0.0370				191	0.1500
								192	0.0130
								Total	2.5995

1	2	3	4	5	1	2	3	4	5
Kota	Digod	Bhoura	156	0.2320	Kota	Digod	Simaliya	914	0.0240
			159	0.0719				852	0.1600
			162	0.0410				842/941	0.5550
			165	0.1110				842/940	0.2010
			166	0.0180				834	0.0930
			170	0.2330				830	0.0560
			201	0.0550				832	0.0860
			205	0.1200				761	0.0680
			206	0.0640				763	0.0750
			208	0.2586				762	0.0330
			209	0.0120				769	0.0830
			233	0.0691				768	0.1300
			473	0.0100				771	0.0710
			474	0.3504				772	0.0260
			587/623	0.1937				778	0.2540
			487	0.0330				777	0.0690
			486	0.1410				656	0.0140
			485/587	0.3150				621	0.2120
			494	0.0750				629	0.1180
			494/617	0.2300				627/975	0.0410
			495	0.0690				628/976	0.0150
			498	0.4260				627	0.0160
			500	0.3780				628	0.0960
			500/625	0.1940				615	0.5040
			503	0.1800				615/961	0.0010
			502	0.0280				614	0.1580
			506	0.1720				612	0.0460
			507	0.0200					
			TOTAL	4.1007				TOTAL	5.1680
		Simaliya	890	0.0440			Kararia	188	0.0220
			889	0.1790				189	0.1930
			888	0.0220				190	0.2590
			887	0.1250				193	0.1280
			891	0.2770				197	0.4290
			900	0.1120				169	0.2210
			901	0.1450				168	0.1790
			902	0.0180				218	0.0000
			904	0.1160				206	0.0300
			907	0.2180				207	0.0740
			906	0.2360				203	0.0020
			864	0.1150				235	0.0160
			863/937	0.1000				266	0.1230
			859	0.2520				267	0.1090
			858	0.0040					

1	2	3	4	5	1	2	3	4	5
Kota	Digod	Kararia	271	0.0860	Kota	Digod	Brujpura	14	0.0100
			272	0.0170				15	0.0420
			273	0.0560				14/304	0.0020
			298	0.0110				16	0.4940
			337	0.0030				18	0.0600
			338	0.0820				6	0.0040
			336	0.0020				5	0.0680
			335	0.0270				3	0.0020
			339	0.1470				19	0.1750
			334	0.3390				1	0.0200
			539	0.0060				TOTAL	1.6890
			538	0.2628			Polaikalan	327	0.0020
			536	0.0310				380	0.3530
			535	0.2160				330	0.2290
			534	0.0910				331	0.1380
			533	0.0000				378/731	0.1188
			520	0.0320				377	0.0770
			467	0.0459				376	0.0020
			466	0.0320				377/759	0.0770
			468	0.0010				374	0.4420
			469	0.2090				370	0.2110
			470	0.1050				369	0.0060
			471	0.0895				371	0.0860
			479	0.2590				366	0.0950
			478	0.2180				365	0.0220
			482	0.1740				364	0.1870
			489	0.2320				390/748	0.0080
			490	0.0520				389	0.0420
			494	0.0080				670	0.0080
			493	0.1530				669	0.1100
			491	0.0020				669/738	0.0220
			492	0.1100				668	0.1630
			492/595	0.0200				667	0.0240
			TOTAL	4.9042				667/724	0.0140
								636	0.0000
								635	0.2720
		Brujpura	42	0.0690				640	0.1070
			31	0.0220				641	0.0850
			29	0.1840				644	0.1900
			30	0.0670				645	0.0440
			27	0.2220				646	0.1610
			26	0.1770				650	0.1700
			13	0.0710				620	0.0330

[illegible]

1	2	3	4	5	1	2	3	4	5
Kota	Ladpura	Arniya	179	0.1650	Kota	Ladpura	Kheda	136	0.3350
			181	0.2790				135	0.1340
			194	0.1180				130	0.1550
			195	0.0230				131	-0.0250
			175	0.0320				120	0.1390
			135	0.0950				119	0.1010
			136	0.1510				99	0.0760
			137	0.1360				61	0.0010
			127	0.0860				60	0.0380
			126	0.0840				59	0.1020
			125	0.1920				57	0.0250
			124	0.0380				58	0.1060
			122	0.3280				55	0.2480
			121	0.0020				53	0.1900
			94	0.0420				45	0.0100
			83	0.1645				40	0.1860
			84	0.1175				41	0.1780
			78	0.0800				TOTAL	2.5040
			77	0.1720			Bhojpura	485	0.1290
			76	0.0750				484	0.0840
			74	0.0180				490	0.0090
			38	0.0280				492	0.2930
			18	0.3320				495	0.0010
			15	0.2880				498	0.2920
			14	0.1810				509	0.0370
			24	0.0340				510	0.1500
			25	0.0000				511	0.0380
			TOTAL	4.0860				512	0.1180
		Rasulpur	137	0.2040				513	0.1430
			134	0.0170				514	0.0250
			133	0.0860				TOTAL	1.3190
			132	0.0370			Mandania	924	0.0600
			130	0.0400				883	0.0300
			249	0.0160				884	0.0500
			248	0.0660				923	0.1200
			251	0.1630				921	0.1440
			252	0.3240				920	0.0600
			121	0.2480				919	0.0210
			120	0.1780				918	0.1160
			117	0.1760				917	0.2560
			112	0.0560				916	0.1490
			113	0.0100				897	0.0020
			TOTAL	1.6210				898	0.2220
		Kheda	141	0.0000				895	0.1330
			140	0.2440				646	0.0700
			138	0.2610				638	0.1310

1	2	3	4	5
Kota	Ladpura	Mandania	639	0.1040
			645	0.0150
			647	0.0020
			644	0.1490
			641	0.0130
			642	0.0330
			650	0.0230
			652	0.0670
			673	0.0030
			676	0.0300
			678	0.0170
			677	0.0300
			679	0.1160
			680	0.1610
			681	0.1540
			684	0.0010
			683	0.1220
			685	0.1250
			688	0.0060
			687	0.1150
			697	0.0280
			762	0.0120
			798/1163	0.1340
			798	0.0370
			763	0.0500
			795	0.0360
			794	0.0110
			793	0.0150
			792	0.1180
			28	0.0400
			TOTAL	3.3370
	Hathikheda		185	0.0220
			189	0.1260
			190	0.0170
			191	0.0630
			193	0.0020
			192/348	0.0100
			192	0.3280
			197	0.0570
			201	0.5420
			230	0.3990
			231	0.0120
			233	0.0750
			233/345	0.0210
			TOTAL	1.6740

1	2	3	4	5
Kota	Ladpura	Hanuat-kheda	45	0.0230
			44	0.0280
			43	0.3980
			55	0.0370
			51	0.1055
			52	0.0040
			54	0.0060
			53	0.3050
			61	0.1365
			62	0.1900
			63	0.2160
			66	0.1590
			TOTAL	1.6080
		Naya	289	0.0470
		Nohara	285	0.1500
			282	0.0890
			283	0.2740
			287	0.0285
			82	0.1510
			83	0.2025
			84	0.4070
			TOTAL	1.3490

[File No. L-14014/9/04-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 22 जून, 2005

का. आ. 2315.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2730 तारीख 25-10-2004 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इंडिया) लिमिटेड द्वारा, राजस्थान राज्य में सैमकोर-श्रीराम फर्टिलाइजर स्पर पाइपलाइन परियोजना के माध्यम से पेट्रोलियम गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 18-01-2005 तक उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि में पाइपलाइनें बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनें बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइनें बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाय, पाइपलाइनें बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड, में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गांव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्टर में)
1	2	3	4	5
कोटा	लाडपुरा	राजनगर	318	0.1740
			315	0.1560
			310	0.1200
			311	0.0360
			305	0.0840
			306	0.0240
			307	0.2880
			योग	0.8820
	सुखपुरा		36	1.0920
			43	0.0840
			योग	1.1760

[फाइल सं. एल-14014/9/04-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 22nd June, 2005

S.O. 2315.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S. O. 2730 dated the 25-10-2004 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land)

Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for purpose of laying pipeline for the transport of natural gas through Samcore—Sriram Fertilizer spur pipeline project in the State of Rajasthan by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on the 18-01-2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipelines shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration, in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be acquired for R.O.U. (In Hectares)
1	2	3	4	5
Kota	Ladpura	Rajnagar	318	0.1740
			315	0.1560
			310	0.1200
			311	0.0360
			305	0.0840
			306	0.0240
			307	0.2880
			TOTAL	0.8820
Kota	Ladpura	Sukhpura	36	1.0920
			43	0.0840
			TOTAL	1.1760

[File No.-L 14014/9/04-G.P.]

SWAMI SINGH, Director

नई दिल्ली, 24 जून, 2005

का. आ. 2316.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार, का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 163 तारीख 13 जनवरी, 2005, जो भारत के राजपत्र तारीख 15 जनवरी, 2005, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 21 मार्च, 2005, को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर.-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अधीन सभी विल्लंगनों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1.	राजोसी	3426(स.नाला)	0	02	01
		3427	0	08	55
		3422/1	}	00	23
		3422/2			
		3428/1(स.पहाड़)	}	14	97
		3428/2			
		3430	0	07	38
		3429/1	}	13	58
		3429/2			
		3442/1	}	05	70
		3442/2			
		3414/1	}	00	92
		3414/2			
		3385/1(स.भूमि)	}	10	67
		3385/2			
		3386(स.रास्ता)	0	01	42
		3327(स.नाला)	0	00	94
		3326	0	00	50
		3325	0	04	98
		3324	0	04	65
		3323	0	02	85
		3333	0	05	57
		3334	0	02	62
		3316	0	01	92
		3337	0	00	81
		3315	0	04	63
		3313	0	07	37
		3344(स.बरड़ा)	}	00	20
		3344मिन(बरड़ा)			
		3256(स.आबादी)	0	11	97
		3257/1(स.आबादी)	}	10	83
		3257/2			
		3258	0	07	15
		3259/1(स.आबादी)	}	05	93
		3259/2			
		3290	0	00	47

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1.	राजोसी (जारी...)	3289/1	0	03	37
		3289/2			
		3260	0	02	53
		3263	0	04	83
		3264	0	05	94
		3265/1(स.आबादी)	0	11	01
		3265/2			
		3236(स.सड़क)	0	01	99
		3111	0	04	72
		3110	0	02	13
		3109	0	00	95
		3114/1	0	00	20
		3114/2			
		3108/1	0	01	68
		3108/2			
		3106/1(स.आबादी)	0	00	20
		3106/2			
		3107/1	0	03	46
		3107/2			
		3105/1(स.आबादी)			
		3105/2	0	08	76
		3105/3/1			
		3105/3/2			
		3103	0	01	80
		3104/1(स.पाल)	0	03	28
		3104/2			
		3122	0	04	15
		3123(स.मोरी)	0	01	20
		3124/4273	0	05	93
		3056(स.रास्ता)	0	01	42
		3081/1	0	03	20
		3081/2			
		3081/4276	0	00	50
		3081/4276/1			
		3080	0	01	00
		3079	0	01	82
		3078	0	04	68
		3077	0	11	38
		3075	0	00	65
		2764(स.रास्ता)	0	05	19

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	राजोसी (जारी...)	2760	0	00	20
		2762	0	04	67
		2763/1	0	09	17
		2763/2			
		2757/1	0	07	28
		2757/2			
		2756/1	0	05	35
		2756/2			
		2755	0	07	17
		2754	0	00	20
		2753(स.रास्ता)	0	03	77
		2775/1(स.बरड़ा)	0	08	90
		2775/2			
		2815(स.पाल)	0	04	33
		2726	0	08	17
		2721	0	00	56
		2725	0	06	74
		2723	0	08	86
		2668	0	03	87
		2667(स.नाला)	0	03	07
		2666/4243(स.नाला)	0	00	20
		2664/4242(स.नाला)	0	02	61
		2664/1	0	31	37
		2664/2			
		2330/1	0	03	86
		2330/2			
		2336	0	13	19
		2337	0	09	08
		2335	0	01	82
		2341	0	10	69
		2342	0	06	59
		2324(पी.डब्ल्यू.डी.सड़क)	0	02	19
		2309	0	11	67
		2297	0	14	49
		2298	0	05	34
		2296	0	04	99
		2294	0	04	70
		2293	0	00	47
		2291	0	14	26
		1240	0	07	73

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	राजोसी (जारी...)	2287	0	00	20
		1241	0	07	13
		1242	0	06	41
		1245	0	04	53
		1246	0	06	77
		1248	0	03	04
		1255	0	07	48
		1268	0	03	53
		1270	0	01	14
		1269	0	02	07
		2157	0	05	33
		2156	0	01	41
		2161	0	06	06
		2163	0	14	09
		2165	0	03	41
		2155(स.रास्ता)	0	02	22
		2138(स.रास्ता)	0	01	88
		2070	0	06	49
		2071	0	01	88
		2073	0	09	01
		2140	0	02	68
		2139	0	18	29
		1446	0	09	15
		1441	0	00	65
		1447	0	00	78
		1445	0	05	33
		1454	0	00	20
		1452	0	06	37
		1453	0	04	99
		1461	0	00	40
		1462	0	22	37
		1463/1	}	00	79
		1463/2			
		1460	0	00	67
		1493	0	21	60
		1551/1(सुरक्षा मंत्रालय)	}	12	12
		1551/2			
		1560/2	}	13	36
		1560/1(सुरक्षा मंत्रालय)			

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1.	राजोसी (जारी...)	1557/2	0	14	01
		1557/1(सुरक्षा मंत्रालय)	0	00	20
		1558	0	00	20
		1556/1(सुरक्षा मंत्रालय)	0	00	95
		1556/2	0	02	85
		1578/1(स.रास्ता)	0	02	85
		1578/2(सुरक्षा मंत्रालय)	0	00	20
		1577/2	0	00	20
		1577/1(सुरक्षा मंत्रालय)	0	16	82
		1576	0	13	18
		1581	0	10	24
		1582	0	12	47
		1584	0	08	81
		1583	0	08	73
2.	दिलवाड़ी	17	0	08	73
3.	गादेसी	53	0	11	89
		53मिन	0	01	59
		53मिन	0	15	03
		52	0	09	54
		54	0	06	93
		54मिन	0	10	69
		54मिन	0	00	20
		55	0	01	26
		55मिन	0	02	13
		56	0	01	89
		56मिन	0	06	77
		57	0	00	20
		51मिन(स.रास्ता)	0	00	20
		51मिन	0	01	26
		60(पी.डब्ल्यू.डी.सड़क)	0	02	13
		61(पी.डब्ल्यू.डी.सड़क)	0	01	89
		62(पी.डब्ल्यू.डी.सड़क)	0	06	77
		86	0	00	20
		85मिन	0	00	20
		85मिन	0	00	20
		87मिन(स.चारागाह)	0	00	20
		87मिन(एच.पी.सी.एल.)	1	09	06
		87मिन	0	00	20
		87मिन(भा.रा.रा.प्रा.)	0	01	26
		88(स.नाला)	0	01	26

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गोंव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
3. गादेसी (जारी...)		70	0	00	20
		94	0	00	93.
		89मिन	}	0	38
		89मिन			
		90	0	00	20
		91मिन	}	0	00
		91मिन			
		92(स.बरड़ा)	0	07	48
		96	0	01	67
		101(स.भूमि)	0	25	66
		103(स.बरड़ा)	0	38	06
		102	0	04	63
		104	0	00	20
		105	0	02	16
		106	0	19	44
		107	0	02	16
		108	0	09	26
	4. मोड़ी	4(ग्रा.पं.चारागाह)	1	11	06
		ख.सं. 4 व 21 के बीच	0	01	20
5. लवेरा		21	0	41	16
		20	}	0	01
		20मिन			
		20मिन			
		20मिन			
		20मिन	}	0	00
		22			
		23(स.भूमि)			
		38(स.भूमि)			
		38मिन	}	0	00
		24(ग्रा.पं.चारागाह)			
		725	0	10	18
		726(स.पत्थर)	0	13	12
		728	}	0	35
		728मिन			
		734(स.रास्ता)	0	01	62
		735	0	22	37
		736(स.भूमि)	0	07	20
		742	0	04	86
		743	0	17	11
		744	0	15	12

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
5.	लवेरा (जारी...)	745	0	03	90
		746	0	03	57
		757	0	18	18
		758	0	06	66
		759	0	01	80
		760	0	07	36
		761	0	06	16
		764(स.भूमि)	0	32	47
		798	0	07	60
		799	0	00	20
		797	0	28	20
		800	}	01	20
		800मिन			
		801	0	01	44
		802	0	02	62
		803	0	06	11
		804(स.रास्ता)	0	01	44
		805	0	01	41
		806	0	14	85
		811	0	09	36
		810	0	04	08
		812	0	06	41
		815	0	03	82
		814	0	03	02
		892	0	07	03
		890	0	06	30
		891	0	06	06
		889	0	04	62
		905	0	01	02
		906	0	28	08
		935	0	08	37
		936	0	07	38
		941	0	04	70
		939	0	03	46
		940	0	16	02
		948	0	01	24
		959	0	07	38
		958	0	10	02
		957	0	09	62

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
5.	लवेरा (जारी...)	955	0	20	67
		990	0	01	54
		992	0	23	65
		1526	0	04	28
		1525	0	04	32
		1524	0	03	92
		1522	0	03	01
		1521	0	00	20
		1516	0	09	00
		1515	0	02	52
		1514	0	04	32
		1513(स.रास्ता)	0	04	41
		1510	0	03	40
		1497	0	00	40
		1496	0	10	87
		1495(स.पाल)	0	05	28
		1494	0	00	63
		1493	0	08	55
		1492	0	02	52
		1438	0	04	13
		1439	0	01	19
		1441	0	00	20
		1445	0	04	34
		1442	0	00	72
		1444	0	00	20
		1443	0	04	64
		1448	0	06	06
		1449	0	04	99
		1450	0	00	20
		1482	}	04	91
		1482/1639			
		1467	0	04	63
		1466	0	03	96
		1465	0	05	04
		1464	0	04	32
		1463	0	06	77
6.	रामपुरा अहिरान	374मिन	}	06	30
		374			
		375	0	13	68

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6. रामपुरा अहिरान (जारी...)					
		376	0	00	20
		377	0	06	03
		386	0	00	48
		385	0	11	70
		384	0	09	06
		389	0	02	03
		383	0	13	32
		392	0	00	56
		414	0	13	50
		413	0	11	94
		410	0	02	16
		411	0	11	52
		439	0	21	74
		440	0	18	77
		438	0	01	35
		441	0	05	35
		442	0	09	62
		443	0	13	32
		444	0	06	30
		141(स.भूमि)	0	05	76
		140(स.रास्ता)	0	02	13
		488	0	07	74
		121	0	32	43
		500	0	36	71
		501	0	29	93
		502	0	08	55
		503	0	08	19
7. जिलावड़ा					
		881(ग्रा.पं.चारागाह)	0	09	27
		898(ग्रा.पं.चारागाह)	0	01	95
		1324(स.रास्ता)	0	01	80
		1325(ग्रा.पं.चारागाह)	0	16	04
		1326(स.रास्ता)	0	01	62
		1323मिन	0	10	33
		1323मिन(ग्रा.पं.चारागाह)			
		1323(ग्रा.पं.चारागाह)			
		1329(ग्रा.पं.चारागाह)	0	01	50
		1322	0	02	70
		1321	0	17	46
		1320	0	00	24

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7.	जिलावड़ा (जारी...)	1318(स.भूमि)			
		1318मिन	}	0	11
		1318मिन			
		1317			
		1334	0	01	45
		1316	0	00	69
		1315	0	04	30
		1338	0	00	20
		1337	0	03	46
		1339	0	01	94
		1340	0	03	42
		1350	0	00	82
		1351	0	03	24
		1349(स.धोरा)	0	00	20
		1369मिन(स.मोरी)	0	01	35
		1369मिन	}	0	01
		1367			
		1357			
		1358	0	10	60
		1355मिन(स.धोरा)	0	00	21
		1355मिन	}	0	00
		1359			
		1360			
		1361मिन(स.धोरा)	0	04	11
		1361मिन	}	0	04
		1362			
		1356			
		1207	0	04	50
		1363(स.धोरा)	0	03	96
		1152	0	03	67
		1201	0	00	96
		1200	0	01	40
		1188	0	03	74
		1169(स.धोरा)	0	06	04
		1151	0	01	80
		1153	0	05	35
		1150	0	12	12
8.	कानपुरा	329	0	01	44
		331	0	00	98
			0	06	48
			0	04	99
			0	12	11
			0	06	84

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8.	कानपुरा (जारी...)	332	0	04	98
		333	0	02	80
		322	0	12	47
		321	0	04	27
		316	0	20	88
		315	0	08	88
		344	0	03	12
		290	0	01	78
		345	0	00	20
		289	0	02	07
		288	0	06	66
		287	0	08	35
		348	0	01	39
		286	0	01	42
		251	0	00	36
		285	0	02	00
		252	0	16	66
		253	0	00	36
		254	0	12	96
		240मिन	}	0	19
		240मिन			
		240			
		255	0	00	20
		238	0	02	29
		164	0	00	20
		165	0	20	48
		230	0	00	25
		166	0	01	68
		227	0	42	14
		226	0	03	40
		807	0	16	22
		225	0	00	40
		224	0	00	20
		892	0	23	64
		893	0	18	18
		894	0	03	78
		895	0	13	54
		896(स.रास्ता)	0	00	72
		897	0	21	02

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
8.	कानपुरा (जारी...)	1014	0	01	44
		1013	}	0	57
		1013मिन			
		1321	0	00	20
		998(स.भूमि)	}	0	12
		998मिन			
		1005मिन	}	0	09
		1005मिन(स.भूमि)			
		1005	}	0	00
		1004मिन			
		1004	}	0	17
		1003			
		997(स.नाला)	0	09	72
		954(स.भूमि)	0	30	64
		955	}	0	07
		955मिन			
		957	}	0	17
		957मिन			
		958	0	13	89
		959	0	03	92
		962	0	07	92
		961	0	15	32
9.	बनेवडी	709	0	13	44
		710	0	01	98
		713	0	14	21
		712	}	0	09
		712मिन			
		725	0	10	85
		704(स.भूमि)	0	12	83
		703	}	0	06
		703मिन			
		702	0	02	24
		734	0	07	10
		737	0	08	91
		738	0	08	10
		700(स.भूमि)	0	00	27
		699	0	06	00
		698	0	00	29
		696	0	12	71

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
9.	बनेवडी (जारी...)	697	0	11	05
	690/1456मिन(स.भूमि)		0	00	20
	690/1456मिन		0	00	20
	690/1447(स.भूमि)		0	09	44
	690/1448(स.भूमि)		0	15	68
	690/1449(स.भूमि)		0	16	39
	690/1450(स.भूमि)		0	22	10
	772/1451(स.चारागाह)				
	773		0	19	43
	786		0	01	41
	847(स.भूमि)		0	84	64
	862(स.रास्ता)		0	03	33
	1116(स.भूमि)		0	25	48
	1117(स.भूमि)		0	08	37
	1118		0	10	51
	1118मिन				
	1120		0	03	78
	1100		0	13	67
	1099		0	00	20
	1098		0	09	27
	1097		0	04	63
	1092		0	06	24
	1091		0	00	20
	1093		0	03	30
	1083		0	09	54
	1082		0	00	20
	1066(स.भूमि)		0	05	94
	1074		0	19	46
	1073		0	22	24
	1071(स.कुंआ)		0	00	80
	1070(स.रास्ता)		0	03	56
	1422(स.चारागाह)		0	30	60
	1392(स.रास्ता)		0	04	33
	1361(स.भूमि)		0	31	18
	1362		0	03	06
	1362मिन				
	1363		0	34	39
	1390(स.चारागाह)		0	23	17
	1375(स.चारागाह)		0	04	77
	1376(स.चारागाह)		0	36	86

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
9.	बनेवडी (जारी...)	1 3 7 6/1 4 5 5(स.चारागाह)	0	00	20
		1 3 7 8	0	16	93
		1 3 7 9(स.नाला)	0	05	76

[फा. सं. आर-31015/63/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 24th June, 2005

S. O. 2316.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 163 dated the 13th January, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 15th January, 2005, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 21st March, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

SCHEDULE

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
1.	RAJOSHI	3426(G/L Nala)	0	02	01
		3427	0	08	55
		3422/1	0	00	23
		3422/2			
		3428/1(G/L Pahad)	0	14	97
		3428/2			
		3430	0	07	38
		3429/1	0	13	58
		3429/2			
		3442/1	0	05	70
		3442/2			
		3414/1	0	00	92
		3414/2			
		3385/1(G/L)	1	10	67
		3385/2			
		3386(G/L Cart Track)	0	01	42
		3327(G/L Nala)	0	00	94
		3326	0	00	50
		3325	0	04	98
		3324	0	04	65
		3323	0	02	85
		3333	0	05	57
		3334	0	02	62
		3316	0	01	92
		3337	0	00	81
		3315	0	04	63
		3313	0	07	37
		3344(G/L Barda)	0	00	20
		3344Min(Barda)			
		3256(G/L Abadi)	0	11	97
		3257/1(G/L Abadi)	0	10	83
		3257/2			
		3258	0	07	15
		3259/1(G/L Abadi)	0	05	93
		3259/2			
		3290	0	00	47

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
1.	RAJOSHI (Contd...)	3289/1	0	03	37
		3289/2			
		3260	0	02	53
		3263	0	04	83
		3264	0	05	94
		3265/1(G/L Abadi)	0	11	01
		3265/2			
		3236(G/L Road)	0	01	99
		3111	0	04	72
		3110	0	02	13
		3109	0	00	95
		3114/1	0	00	20
		3114/2			
		3108/1	0	01	68
		3108/2			
		3106/1(G/L Abadi)	0	00	20
		3106/2			
		3107/1	0	03	46
		3107/2			
		3105/1(G/L Abadi)	0	08	76
		3105/2			
		3105/3/1			
		3105/3/2			
		3103	0	01	80
		3104/1(G/L Pal)	0	03	28
		3104/2			
		3122	0	04	15
		3123(G/L Mori)	0	01	20
		3124/4273	0	05	93
		3056(G/L Cart Track)	0	01	42
		3081/1	0	03	20
		3081/2			
		3081/4276	0	00	50
		3081/4276/1			
		3080	0	01	00
		3079	0	01	82
		3078	0	04	68
		3077	0	11	38
		3075	0	00	65
		2764(G/L Cart Track)	0	05	19

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
1.	RAJOSHI (Contd...)	2760	0	00	20
		2762	0	04	67
		2763/1	0	09	17
		2763/2			
		2757/1	0	07	28
		2757/2			
		2756/1	0	05	35
		2756/2			
		2755	0	07	17
		2754	0	00	20
		2753(G/L Cart Track)	0	03	77
		2775/1(G/L Barda)	0	08	90
		2775/2			
		2815(G/L Pal)	0	04	33
		2726	0	08	17
		2721	0	00	56
		2725	0	06	74
		2723	0	08	86
		2668	0	03	87
		2667(G/L Nala)	0	03	07
		2666/4243(G/L Nala)	0	00	20
		2664/4242(G/L Nala)	0	02	61
		2664/1	0	31	37
		2664/2			
		2330/1	0	03	86
		2330/2			
		2336	0	13	19
		2337	0	09	08
		2335	0	01	82
		2341	0	10	69
		2342	0	06	59
		2324(P.W.D. Road)	0	02	19
		2309	0	11	67
		2297	0	14	49
		2298	0	05	34
		2296	0	04	99
		2294	0	04	70
		2293	0	00	47
		2291	0	14	26
		1240	0	07	73

Tehsil : NASIRABAD		District : AJMER		State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1.	2	3	4	5	6	
1. RAJOSHI (Contd...)		2287	0	00	20	
		1241	0	07	13	
		1242	0	06	41	
		1245	0	04	53	
		1246	0	06	77	
		1248	0	03	04	
		1255	0	07	48	
		1268	0	03	53	
		1270	0	01	14	
		1269	0	02	07	
		2157	0	05	33	
		2156	0	01	41	
		2161	0	06	06	
		2163	0	14	09	
		2165	0	03	41	
		2155(G/L Cart Track)	0	02	22	
		2138(G/L Cart Track)	0	01	88	
		2070	0	06	49	
		2071	0	01	88	
		2073	0	09	01	
		2140	0	02	68	
		2139	0	18	29	
		1446	0	09	15	
		1441	0	00	65	
		1447	0	00	78	
		1445	0	05	33	
		1454	0	00	20	
		1452	0	06	37	
		1453	0	04	99	
		1461	0	00	40	
		1462	0	22	37	
		1463/1	}	0	00	79
		1463/2				
		1460	0	00	67	
		1493	0	21	60	
		1551/1(Ministry of Defence)	}	0	12	12
		1551/2				
		1560/2	}	0	13	36
		1560/1(Ministry of Defence)				

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
1.	RAJOSHI (Contd...)	1557/2			
		1557/1(Ministry of Defence)	0	14	01
		1558	0	00	20
		1556/1(Ministry of Defence)	0	00	95
		1556/2			
		1578/1(G/L Cart Track)	0	02	85
		1578/2(Ministry of Defence)			
		1577/2	0	00	20
		1577/1(Ministry of Defence)			
		1576	0	16	82
		1581	0	13	18
		1582	0	10	24
		1584	0	12	47
		1583	0	08	81
2.	DILWADI	17	0	08	73
3.	GADERI	53			
		53Min	0	11	89
		53Min			
		52	0	01	59
		54			
		54Min	0	15	03
		54Min			
		55	0	09	54
		55Min			
		56	0	06	93
		56Min			
		57	0	10	69
		51Min(G/L Cart Track)	0	00	20
		51Min			
		60(P.W.D. Road)	0	01	26
		61(P.W.D. Road)	0	02	13
		62(P.W.D. Road)	0	01	89
		86	0	06	77
		85Min	0	00	20
		85Min			
		87Min(G/L Pasture)			
		87Min(HPCL)	1	09	06
		87Min			
		87Min(NHAI Road)			
		88(G/L Nala)	0	01	26

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN				
Sr. No.	Name of the Village	Khasara No.	Area				
			Hectare	Are	Sq.mtr.		
1.	2	3	4	5	6		
3. GADERI (Contd...)		70	0	00	20		
		94	0	00	93		
		89Min	}	0	38	62	
		89Min					
		90	0	00	20		
		91Min	}	0	00	32	
		91Min					
		92(G/L Barda)	0	07	48		
		96	0	01	67		
		101(G/L)	0	25	66		
		103(G/L Barda)	0	38	06		
		102	0	04	63		
		104	0	00	20		
		105	0	02	16		
		106	0	19	44		
		107	0	02	16		
		108	0	09	26		
	4. MODI		4(G/P Pasture)	1	11	06	
			In Bet. Svy. No. 4 & 21	0	01	20	
			21	0	41	16	
			20	}	0	01	72
			20Min				
			20Min				
			20Min				
			22	0	00	20	
			23(G/L)	0	08	16	
			38(G/L)	}	0	00	20
		38Min					
		24(G/P Pasture)	0	01	30		
5. LAVERA			725	0	10	18	
			726(G/L Rock)	0	13	12	
			728	}	0	35	64
		728Min					
		734(G/L Cart Track)	0	01	62		
		735	0	22	37		
		736(G/L)	0	07	20		
		742	0	04	86		
		743	0	17	11		
		744	0	15	12		

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN			
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1.	2	3	4	5	6	
5. LAVERA (Contd...)		745	0	03	90	
		746	0	03	57	
		757	0	18	18	
		758	0	06	66	
		759	0	01	80	
		760	0	07	36	
		761	0	06	16	
		764(G/L)	0	32	47	
		798	0	07	60	
		799	0	00	20	
		797	0	28	20	
		800	}	0	01	20
		800Min				
		801	0	01	44	
		802	0	02	62	
		803	0	06	11	
		804(G/L Cart Track)	0	01	44	
		805	0	01	41	
		806	0	14	85	
		811	0	09	36	
		810	0	04	08	
		812	0	06	41	
		815	0	03	82	
		814	0	03	02	
		892	0	07	03	
		890	0	06	30	
		891	0	06	06	
		889	0	04	62	
		905	0	01	02	
		906	0	28	08	
		935	0	08	37	
		936	0	07	38	
		941	0	04	70	
		939	0	03	46	
		940	0	16	02	
		948	0	01	24	
		959	0	07	38	
		958	0	10	02	
		957	0	09	62	

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN			
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1.	2	3	4	5	6	
5. LAVERA (Contd...)		955	0	20	67	
		990	0	01	54	
		992	0	23	65	
		1526	0	04	28	
		1525	0	04	32	
		1524	0	03	92	
		1522	0	03	01	
		1521	0	00	20	
		1516	0	09	00	
		1515	0	02	52	
		1514	0	04	32	
		1513(G/L Cart Track)	0	04	41	
		1510	0	03	40	
		1497	0	00	40	
		1496	0	10	87	
		1495(G/L Pal)	0	05	28	
		1494	0	00	63	
		1493	0	08	55	
		1492	0	02	52	
		1438	0	04	13	
		1439	0	01	19	
		1441	0	00	20	
		1445	0	04	34	
		1442	0	00	72	
		1444	0	00	20	
		1443	0	04	64	
		1448	0	06	06	
		1449	0	04	99	
		1450	0	00	20	
		1482	}	0	04	91
		1482/1639				
		1467	0	04	63	
		1466	0	03	96	
	1465	0	05	04		
	1464	0	04	32		
	1463	0	06	77		
6. RAMPURA AHIRAN	374Min	}	0	06	30	
	374					
	375					0

Tehsil : NASIRABAD		District : AJMER		State : RAJASTHAN			
Sr. No.	Name of the Village	Khasara No.	Area				
			Hectare	Are	Sq.mtr.		
1.	2	3	4	5	6		
6.	RAMPURA AHIRAN (Contd...)	376	0	00	20		
		377	0	06	03		
		386	0	00	48		
		385	0	11	70		
		384	0	09	06		
		389	0	02	03		
		383	0	13	32		
		392	0	00	56		
		414	0	13	50		
		413	0	11	94		
		410	0	02	16		
		411	0	11	52		
		439	0	21	74		
		440	0	18	77		
		438	0	01	35		
		441	0	05	35		
		442	0	09	62		
		443	0	13	32		
		444	0	06	30		
		141(G/L)	0	05	76		
		140(G/L Cart Track)	0	02	13		
		488	0	07	74		
		121	0	32	43		
		500	0	36	71		
		501	0	29	93		
		502	0	08	55		
		503	0	08	19		
		7.	JILAWADA	881(G/P Pasture)	0	09	27
				898(G/P Pasture)	0	01	95
				1324(G/L Cart Track)	0	01	80
				1325(G/P Pasture)	0	16	04
				1326(G/L Cart Track)	0	01	62
				1323Min	0	10	33
1323Min(G/P Pasture)							
1323(G/P Pasture)							
1329(G/P Pasture)	0			01	50		
1322	0			02	70		
1321	0			17	46		
1320	0			00	24		

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN			
Sr No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1.	2	3	4	5	6	
7.	JILAWADA (Contd...)	1318(G/L)	}	0	11	07
		1318Min				
		1318Min				
		1317	0	01	45	
		1334	0	00	69	
		1316	0	04	30	
		1315	0	00	20	
		1338	0	03	46	
		1337	0	01	94	
		1339	0	03	42	
		1340	0	00	82	
		1350	0	03	24	
		1351	0	00	20	
		1349(G/L Dhora)	0	01	35	
		1369Min(G/L Mori)	}	0	01	43
		1369Min				
		1367				
		1357	0	10	60	
		1358	0	00	21	
		1355Min(G/L Dhora)	}	0	00	50
		1355Min				
		1359				
		1360	0	04	50	
		1361Min(G/L Dhora)	}	0	03	96
		1361Min				
		1362				
		1356	0	00	96	
		1207	0	01	40	
		1363(G/L Dhora)	0	03	74	
		1152	0	06	04	
		1201	0	01	80	
		1200	0	05	35	
		1188	0	12	12	
		1169(G/L Dhora)	0	01	44	
		1151	0	00	98	
		1153	0	06	48	
		1150	0	04	99	
8.	KANPURA	329	0	12	11	
		331	0	06	84	

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN			
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1.	2	3	4	5	6	
8. KANPURA (Contd...)		332	0	04	98	
		333	0	02	80	
		322	0	12	47	
		321	0	04	27	
		316	0	20	88	
		315	0	08	88	
		344	0	03	12	
		290	0	01	78	
		345	0	00	20	
		289	0	02	07	
		288	0	06	66	
		287	0	08	35	
		348	0	01	39	
		286	0	01	42	
		251	0	00	36	
		285	0	02	00	
		252	0	16	66	
		253	0	00	36	
		254	0	12	96	
		240Min	}	0	19	75
		240Min				
		240				
		255	0	00	20	
		238	0	02	29	
		164	0	00	20	
		165	0	20	48	
		230	0	00	25	
		166	0	01	68	
		227	0	42	14	
		226	0	03	40	
		807	0	16	22	
		225	0	00	40	
		224	0	00	20	
		892	0	23	64	
		893	0	18	18	
		894	0	03	78	
	895	0	13	54		
	896(G/L Cart Track)	0	00	72		
	897	0	21	02		

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
8.	KANPURA (Contd...)	1014	0	01	44
		1013	}	0	57
		1013Min			
		1321	0	00	20
		998(G/L)	}	0	12
		998Min			
		1005Min	}	0	09
		1005Min(G/L)			
		1005	}	0	00
		1004Min			
		1004	}	0	17
		1003			
		997(G/L Nala)	0	09	72
		954(G/L)	0	30	64
		955	}	0	07
		955Min			
		957	}	0	17
		957Min			
		958	0	13	89
		959	0	03	92
		962	0	07	92
		961	0	15	32
9.	BANEWADI	709	0	13	44
		710	0	01	98
		713	0	14	21
		712	}	0	09
		712Min			
		725	0	10	85
		704(G/L)	0	12	83
		703	}	0	06
		703Min			
		702	0	02	24
		734	0	07	10
		737	0	08	91
		738	0	08	10
		700(G/L)	0	00	27
		699	0	06	00
		698	0	00	29
		696	0	12	71

Tehsil : NASIRABAD		District : AJMER		State : RAJASTHAN	
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
9.	BANEWADI (Contd...)	697	0	11	05
		690/1456Min(G/L)	0	00	20
		690/1456Min	0	00	20
		690/1447(G/L)	0	09	44
		690/1448(G/L)	0	15	68
		690/1449(G/L)	0	16	39
		690/1450(G/L)	0	22	10
		772/1451(G/L Pasture)			
		773	0	19	43
		786	0	01	41
		847(G/L)	0	84	64
		862(G/L Cart Track)	0	03	33
		1116(G/L)	0	25	48
		1117(G/L)	0	08	37
		1118	0	10	51
		1118Min			
		1120	0	03	78
		1100	0	13	67
		1099	0	00	20
		1098	0	09	27
		1097	0	04	63
		1092	0	06	24
		1091	0	00	20
		1093	0	03	30
		1083	0	09	54
		1082	0	00	20
		1066(G/L)	0	05	94
		1074	0	19	46
		1073	0	22	24
		1071(G/L Well)	0	00	80
		1070(G/L Cart Track)	0	03	56
		1422(G/L Pasture)	0	30	60
		1392(G/L Cart Track)	0	04	33
		1361(G/L)	0	31	18
		1362	0	03	06
		1362Min			
		1363	0	34	39
		1390(G/L Pasture)	0	23	17
		1375(G/L Pasture)	0	04	77
		1376(G/L Pasture)	0	36	86

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1.	2	3	4	5	6
9.	BANEWADI (Contd...)	1376/1455(G/L Pasture)	0	00	20
		1378	0	16	93
		1379(G/L Nala)	0	05	76

[No. R-31015/63/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 24 जून, 2005

का.आ. 2317.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मुन्द्रा (गुजरात) से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री शिवदत्त गौड़, सक्षम प्राधिकारी, मुन्द्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन, परियोजना, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, डी-7, लालबहादुर नगर (पूर्व), क्लार्क्स आमेर होटल के सामने, जवाहरलाल नेहरू मार्ग, मालवीय नगर, जयपुर-302017(राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	राजोसी	3426(स.नाला)	0	01	19
		3422/1	}	03	33
		3422/2			
		3430		00	10
		3429/1	}	00	31
		3429/2			
		3414/1	}	00	50
		3414/2			
		3327(स.नाला)	0	00	84
		3326	0	01	87
		3324	0	02	47
		3333	0	00	13
		3334	0	01	05
		3337	0	00	14
		3313	0	00	27
		3258	0	00	33
		3260	0	00	67
		3263	0	01	17
		3236(स.सड़क)	0	00	14
		3111	0	00	62
		3114/1	}	00	51
		3114/2			
		3108/1	}	00	93
		3108/2			
		3107/1	}	00	10
		3107/2			
		3104/1(स.पाल)	}	00	64
		3104/2			
		3122	0	00	83
		3123(स.मोरी)	0	00	22
		3124/4273	0	00	84
		3124/4272	0	00	20
		3081/1	}	00	33
		3081/2			
		3080	0	00	62
		3077	0	01	80
		3075	0	01	75

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1.	राजोसी (जारी...)	2763/1	0	00	47
		2763/2			
		2757/1	0	00	64
		2757/2			
		2753(स.रास्ता)	0	01	44
		2775/1(स.बरड़ा)	0	00	14
		2775/2			
		2815(स.पाल)	0	00	30
		2721	0	00	54
		2723	0	00	41
		2668	0	00	05
		2667(स.नाला)	0	00	49
		2664/4242(स.नाला)	0	00	24
		2666/4273	0	00	20
		2330/1	0	01	18
		2330/2			
		2335	0	00	98
		2324(पी.डब्ल्यू.डी.सड़क)	0	00	30
		2294	0	00	53
		1240	0	00	47
		1245	0	00	28
		1248	0	00	29
		1249	0	00	20
		1254	0	00	20
		1270	0	00	74
		2157	0	00	29
		2156	0	00	10
		2163	0	00	51
		2165	0	00	14
		2155(स.रास्ता)	0	00	13
		2070	0	00	32
		2073	0	00	42
		2140	0	00	61
		2139	0	01	03
		1441	0	00	13
		1445	0	00	28
		1452	0	02	54
		1462	0	01	56
		1463/1	0	01	34
		1463/2			
		1493	0	00	14

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	राजोसी (जारी...)	1582	0	01	16
		1583	0	01	52
2.	गादेरी	53	0	00	22
		53मिन			
		53मिन			
		54	0	00	29
		54मिन			
		54मिन			
		55	0	00	08
		55मिन			
		56			
		56मिन	0	00	19
		60(पी.डब्ल्यू.डी.सड़क)	0	00	16
		62(पी.डब्ल्यू.डी.सड़क)	0	00	24
		88(स.नाला)	0	01	21
		89मिन	0	00	78
		89मिन			
		91मिन			
		91मिन	0	00	70
		103(स.बरड़ा)	0	01	05
		106	0	00	34
3.	मोड़ी	ख.सं. 4 व 21 के बीच	0	00	05
		21	0	01	40
		20	0	00	86
		20मिन			
		20मिन			
		20मिन			
		20मिन	0	00	26
		38(स.भूमि)			
		38मिन			
		24(ग्र.पं.चारागाह)	0	01	75
		26	0	01	04
4.	लवेरा	721	0	00	88
		722	0	03	80
		725	0	18	71
		726(स.पत्थर)	0	02	20
		734(स.रास्ता)	0	00	52
		736(स.भूमि)	0	00	36
		744	0	00	20
		745	0	00	38

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
4.	लवेरा (जारी...)	758	0	01	54
		760	0	00	10
		761	0	11	30
		797	0	00	34
		803	0	00	18
		804(स.रास्ता)	0	00	16
		811	0	01	24
		815	0	00	29
		892	0	00	45
		890	0	00	11
		889	0	00	78
		906	0	00	24
		936	0	00	64
		939	0	02	25
		956	0	00	20
		990	0	00	50
		1525	0	00	31
		1516	0	00	27
		1513(स.रास्ता)	0	00	22
		1496	0	02	43
		1495(स.पाल)	0	00	42
		1494	0	00	08
		1492	0	01	02
		1438	0	00	04
		1439	0	04	26
		1442	0	01	57
		1443	0	01	06
		1482	}	0	01
		1482/1639			
		1468(स.बरडा)	0	00	20
5.	रामपुरा अहिरान	375	0	00	21
		385	0	00	41
		384	0	00	21
		389	0	00	13
		392	0	00	40
		410	0	00	19
		411	0	00	36
		444	0	00	47
6.	जिलावड़ा	1326(स.रास्ता)	0	00	16
		1322	0	00	15

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	जिलावड़ा (जारी...)	1320	0	00	08
		1316	0	00	53
		1339	0	00	41
		1349(स.धोरा)	0	00	07
		1357	0	00	10
		1359	0	00	53
		1360	0	00	13
		1362	0	01	67
		1363(स.धोरा)	0	01	96
		1169(स.धोरा)	0	00	34
		1153	0	00	76
7.	कानपुरा	331	0	00	28
		333	0	00	40
		316	0	00	50
		344	0	00	80
		288	0	00	11
		348	0	00	03
		253	0	00	24
		254	0	00	79
		165	0	00	40
		230	0	00	22
		227	0	01	25
		807	0	03	07
		892	0	00	23
		894	0	00	32
		998(स.भूमि)	}	05	04
		998मिन			
		997(स.नाला)	0	00	25
		962	0	01	34
8.	बनेवडी	710	0	00	14
		712	}	01	44
		712मिन			
		704(स.भूमि)	0	00	36
		702	0	02	76
		734	0	06	72
		737	0	00	71
		738	0	00	10
		699	0	00	58
		847(स.भूमि)	0	00	72
		1117(स.भूमि)	0	01	61
		1120	0	00	32
		1101	0	00	71

तहसील : नसीराबाद		जिला : अजमेर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8.	बनेवडी (जारी...)	1097	0	03	57
		1093	0	04	66
		1094	0	00	96
		1066(स.भूमि)	0	04	75
		1079	0	19	46
		1073	0	00	93
		1071(स.कुंआ)	0	00	27
		1422(स.चारागाह)	0	00	41
		1392(स.रास्ता)	0	01	02
		1362	}	00	32
		1362मिन			
		1375(स.चारागाह)	0	00	58

[फा. सं. आर-31015/63/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 24th June, 2005

s. o. 2317.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Mundra (Gujarat) to Delhi, a pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Shivdutt Gaur, Competent Authority, Mundra-Delhi Petroleum Product Pipeline Project, Hindustan Petroleum Corporation Limited, D-7, Lal Bahadur Nagar (East), Opp. Clarks Amer Hotel, Jawaharlal Nehru Marg, Malviya Nagar, Jaipur – 302017 (Rajasthan).

SCHEDULE

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN			
Sr. No.	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
1.	RAJOSHI	3426(G/L Nala)	0	01	19	
		3422/1	}	0	03	33
		3422/2				
		3430		0	00	10
		3429/1	}	0	00	31
		3429/2				
		3414/1	}	0	00	50
		3414/2				
		3327(G/L Nala)	0	00	84	
		3326	0	01	87	
		3324	0	02	47	
		3333	0	00	13	
		3334	0	01	05	
		3337	0	00	14	
		3313	0	00	27	
		3258	0	00	33	
		3260	0	00	67	
		3263	0	01	17	
		3236(G/L Road)	0	00	14	
		3111	0	00	62	
		3114/1	}	0	00	51
		3114/2				
		3108/1	}	0	00	93
		3108/2				
		3107/1	}	0	00	10
		3107/2				
		3104/1(G/L Pal)	}	0	00	64
		3104/2				
		3122	0	00	83	
		3123(G/L Mori)	0	00	22	
		3124/4273	0	00	84	
		3124/4272	0	00	20	
		3081/1	}	0	00	33
		3081/2				
		3080	0	00	62	
		3077	0	01	80	
		3075	0	01	75	

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1.	RAJOSHI (Contd...)	2763/1	0	00	47
		2763/2			
		2757/1	0	00	64
		2757/2			
		2753(G/L Cart Track)	0	01	44
		2775/1(G/L Barda)	0	00	14
		2775/2			
		2815(G/L Pal)	0	00	30
		2721	0	00	54
		2723	0	00	41
		2668	0	00	05
		2667(G/L Nala)	0	00	49
		2664/4242(G/L Nala)	0	00	24
		2666/4273	0	00	20
		2330/1	0	01	18
		2330/2			
		2335	0	00	98
		2324(P.W.D. Road)	0	00	30
		2294	0	00	53
		1240	0	00	47
		1245	0	00	28
		1248	0	00	29
		1249	0	00	20
		1254	0	00	20
		1270	0	00	74
		2157	0	00	29
		2156	0	00	10
		2163	0	00	51
		2165	0	00	14
		2155(G/L Cart Track)	0	00	13
		2070	0	00	32
		2073	0	00	42
		2140	0	00	61
		2139	0	01	03
		1441	0	00	13
		1445	0	00	28
		1452	0	02	54
		1462	0	01	56
		1463/1	0	01	34
		1463/2			
		1493	0	00	14

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq mtr
1	2	3	4	5	6
1.	RAJOSHI (Contd...)	1582	0	01	16
		1583	0	01	52
2.	GADERI	53	0	00	22
		53Min			
		53Min			
		54	0	00	29
		54Min			
		54Min			
		55	0	00	08
		55Min			
		56	0	00	19
		56Min			
		60(P.W.D. Road)	0	00	16
		62(P.W.D. Road)	0	00	24
		88(G/L Nala)	0	01	21
		89Min	0	00	78
		89Min			
		91Min	0	00	70
		91Min			
		103(G/L Barda)	0	01	05
		106	0	00	34
3.	MODI	In Bet. Svy. No. 4 & 21	0	00	05
		21	0	01	40
		20	0	00	86
		20Min			
		20Min			
		20Min			
		20Min	0	00	26
		38(G/L)			
		38Min	0	01	75
		24(G/P Pasture)			
		26	0	01	04
4.	LAVERA	721	0	00	88
		722	0	03	80
		725	0	18	71
		726(G/L Rock)	0	02	20
		734(G/L Cart Track)	0	00	52
		736(G/L)	0	00	36
		744	0	00	20
		745	0	00	38

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN				
Sr No.	Name of the Village	Khasara No.	Area				
			Hectare	Are	Sq.mtr		
1	2	3	4	5	6		
4.	LAVERA (Contd...)	758	0	01	54		
		760	0	00	10		
		761	0	11	30		
		797	0	00	34		
		803	0	00	18		
		804(G/L Cart Track)	0	00	16		
		811	0	01	24		
		815	0	00	29		
		892	0	00	45		
		890	0	00	11		
		889	0	00	78		
		906	0	00	24		
		936	0	00	64		
		939	0	02	25		
		956	0	00	20		
		990	0	00	50		
		1525	0	00	31		
		1516	0	00	27		
		1513(G/L Cart Track)	0	00	22		
		1496	0	02	43		
		1495(G/L Pal)	0	00	42		
		1494	0	00	08		
		1492	0	01	02		
		1438	0	00	04		
		1439	0	04	26		
		1442	0	01	57		
		1443	0	01	06		
		1482	}	0	01	50	
		1482/1639					
		1468(G/L Barda)	0	00	20		
		5.	RAMPURA AHIRAN	375	0	00	21
				385	0	00	41
				384	0	00	21
389	0			00	13		
392	0			00	40		
410	0			00	19		
411	0			00	36		
444	0			00	47		
6.	JILAWADA	1326(G/L Cart Track)	0	00	16		
		1322	0	00	15		

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq mtr.
1	2	3	4	5	6
6.	JILAWADA (Contd...)	1320	0	00	08
		1316	0	00	53
		1339	0	00	41
		1349(G/L Dhora)	0	00	07
		1357	0	00	10
		1359	0	00	53
		1360	0	00	13
		1362	0	01	67
		1363(G/L Dhora)	0	01	96
		1169(G/L Dhora)	0	00	34
		1153	0	00	76
		331	0	00	28
		333	0	00	40
		316	0	00	50
		344	0	00	80
7.	KANPURA	288	0	00	11
		348	0	00	03
		253	0	00	24
		254	0	00	79
		165	0	00	40
		230	0	00	22
		227	0	01	25
		807	0	03	07
		892	0	00	23
		894	0	00	32
		998(G/L)	}	05	04
		998Min			
		997(G/L Nala)	0	00	25
		962	0	01	34
		710	0	00	14
8.	BANEWADI	712	}	01	44
		712Min			
		704(G/L)	0	00	36
		702	0	02	76
		734	0	06	72
		737	0	00	71
		738	0	00	10
		699	0	00	58
		847(G/L)	0	00	72
		1117(G/L)	0	01	61
		1120	0	00	32
		1101	0	00	71

Tehsil : NASIRABAD		District : AJMER	State : RAJASTHAN		
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
8.	BANEWADI (Contd...)	1097	0	03	57
		1093	0	04	66
		1094	0	00	96
		1066(G/L)	0	04	75
		1079	0	19	46
		1073	0	00	93
		1071(G/L Well)	0	00	27
		1422(G/L Pasture)	0	00	41
		1392(G/L Cart Track)	0	01	02
		1362	0	00	32
		1362Min			
		1375(G/L Pasture)	0	00	58

[No. R-31015/63/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 24 जून, 2005

का. आ. 2318.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2979 तारीख 11 नवम्बर, 2004, जो भारत के राजपत्र तारीख 20 नवम्बर, 2004, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 15 फरवरी, 2005, को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का निनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख की केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहनति पत्र सं. आर - 31015/7/03 ओ.आर.-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अधीन सभी विलगनों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	कासिन्दा	155(स.खालखदर)	0	03	20
		156(स.नाला)	0	03	14
		158	0	01	12
		159	0	10	32
		160	0	04	32
		142	0	05	52
		141	0	10	36
		136	0	05	91
		135	0	12	91
		126	0	14	00
		124	0	00	43
		128	0	00	20
		127	0	10	32
		122मिन01	0	03	43
		114(स.नाला)	0	04	50
		106	0	12	32
		107	0	06	87
		105	0	02	59
		108	0	13	35
		109	0	09	52
		102	0	12	60
		94	0	02	25
		95	0	09	96
		96	0	00	57
		97(स.खालखदर)	0	09	42
		98	0	04	29
		176(स.नदी)	0	10	05
		191	0	03	16
		195	0	14	02
		194	0	01	09
		193	0	06	33
		196	0	09	82
		215(स.रास्ता)	0	02	75

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1.	कासिन्दा (जारी...)	214	0	01	88
		228	0	01	26
		213	0	22	61
		229	0	00	21
		232	0	24	84
		239	0	05	29
		243	0	10	24
		244/498	0	19	11
		245	0	01	23
		261/497	0	15	74
	261मिन01(स.खालखदर)		0	03	24
		261/475	0	07	48
		261/1	0	10	33
		389/470	0	07	14
		389/471	0	10	28
		389/486	0	00	76
		375/437	0	21	02
		375/434	0	04	27
		375/468	0	05	34
		375मिन01	0	01	80
		375/493	0	01	08
		374	0	02	05
		375/438	0	00	20
	359(स.रास्ता)		0	04	36
		357	0	03	20
		356	0	20	84
		355	0	18	17
		348	0	01	15
	361(स.नाला)		0	01	69
	362मिन01(ग्रा.पं.चारागाह)		0	54	29
	362/429(पी.डब्ल्यू.डी.सड़क)				
		315	0	30	17
		316	0	30	33
	317(स.रास्ता)		0	02	52
		301	0	12	26
		303	0	10	81
		305	0	04	27
	304मिन		0	12	32
	290मिन				
	290/1				
	290/2		0	32	56
	290/3				
	290/4				

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
2.	अंचपुरी (अस्ती--)	278	0	24	72
		277	0	04	00
		276(ग्राम.पंचारागाह)	0	50	61
3.	सांगवाडा	376(स.भूमि)	0	14	58
		355(स.भूमि)	0	00	43
		355मिन			
		356/1	0	18	35
		356(स.भूमि)			
		357	0	09	21
		375	0	26	00
		373/1	0	21	26
		371	0	00	62
		372	0	16	84
		330(स.भूमि)	0	22	06
		327	0	12	05
		325(स.नाला)	0	04	95
		324	0	06	55
		216(स.नाला)	0	15	50
		215(स.भूमि)	0	02	85
		210	0	05	63
		209	0	13	08
		208	0	07	47
		207	0	00	25
		193(ग्राम.पंचारागाह)	1	05	13
		142	0	41	56
		141/1	0	07	40
		135	0	20	12
		136/1	0	13	60
		166(स.रास्ता)	0	09	64
		54	0	14	35
		58	0	19	74
		35	0	16	24
		33	0	12	21
		28	0	18	44
		27	0	06	83
		27/386	0	04	71
		26	0	00	27
		25	0	00	38
		90(स.रास्ता)	0	04	99
		91	0	00	20
		101(स.नाला)	0	01	58
4.	फूलाबाईखेड़ा	576(स.नाला)	0	02	35
		576/651			

तहसील : पिण्डवाड़ा		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
4.	फूलाबाईखेड़ा (जारी...)	577मिन01	0	18	24
		589	0	30	08
		591	0	13	60
		588	0	00	20
		587	0	04	68
		585	0	17	88
		544(स.रास्ता)	0	01	57
		541	0	08	20
		515/648	0	30	60
		540	0	00	20
		515(स.नाला)	0	24	37
		494	0	07	83
		493	0	08	54
		488	0	30	09
		484	0	17	57
		486	0	00	20
		462/2	0	30	17
		461	0	22	18
		460	0	22	36
		458	0	22	94
		454	0	31	68
5.	काछेली	830	0	11	52
		831	0	01	98
		834	0	16	99
		836	0	15	10
		783(स.रास्ता)	0	02	02
		768	0	20	11
		767	0	29	45
		771	0	01	05
		770	0	04	22
		765	0	01	15
		678(पी.डब्ल्यू.डी.सड़क)	0	01	42
		674	0	00	20
		673	0	09	80
		668	0	08	40
		675	0	00	32
		667	0	02	70
		665	0	00	69
		666	0	04	74
		647(स.रास्ता)	0	01	71

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
5.	काछेली (जारी...)	548	0	17	30
		546	0	10	67
		544	0	04	48
		542	0	02	28
		543	0	03	26
		537	0	08	75
		538	0	00	42
		539	0	00	30
		533	0	01	47
		540	0	11	98
		530	0	02	96
		541	0	03	43
		523	0	06	65
		669(स.नदी)	0	18	72
		845(स.नदी)	0	30	18
		94(स.नदी)	0	30	29
		95(स.रास्ता)	0	03	38
		108	0	09	25
		109	0	07	50
		110	0	05	25
		111	0	00	77
6.	पातुम्बरी	120	0	00	20
		112	0	04	40
		113	0	06	32
		114	0	06	91
		115	0	03	69
		115/193	0	05	18
		104	0	13	40
		103	0	05	53
		102	0	01	54
		151	0	24	66
		152	0	25	37
		153	0	01	81
		154(स.मगरी)	0	02	48
		83	0	05	22
		155(स.मगरी)	0	37	38
		161	0	20	50
		162	0	10	08
		160(स.रास्ता)	0	01	72
		159	0	11	26

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	पातुम्बरी (जारी...)	158(स.रास्ता)	0	02	88
		64	0	06	63
		61	0	00	39
		56	0	21	02
		53	0	01	40
		57	0	08	26
		58	0	07	20
		52	0	02	88
		49(स.नाला)	0	04	11
		44	0	00	25
		45	0	05	65
		46	0	19	62
		47	0	01	94
		40(स.नाला)	0	02	93
		48	0	00	20
		39	0	13	93
		15	0	01	44
		14	0	06	88
		13	0	06	43
		11	0	00	36
		12	0	05	81
7.	भावरी	623	0	08	16
		622	0	06	80
		621	0	02	88
		617	0	06	52
		618	0	01	71
		620	0	09	31
		619	0	07	92
		555(स.खालखदर)	0	00	69
		553	0	05	56
		440(स.खालखदर)	0	03	66
		551(स.खालखदर)	0	18	48
		624(स.नाला)	0	05	70
		548	0	01	89
		547	0	01	90
		546	0	01	89
		545	0	00	96
		441(स.रास्ता)	0	03	38
		435	0	06	77
		438	0	00	20

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7.	भावरी (जारी...)	436	0	03	66
		434	0	11	89
		433	0	00	30
		432	0	00	31
		431	0	04	56
		427(स.रास्ता)	0	01	85
		426	0	04	13
		425	0	09	11
		424	0	08	54
		423	0	09	09
		421	0	00	58
		422	0	06	28
		781(स.खालखदर)	0	01	77
		785(स.रास्ता)	0	00	82
		805	0	05	50
		806	0	11	44
		807	0	06	17
		808	0	04	68
		809	0	04	95
		810	0	02	85
		811	0	00	80
		816	0	05	22
		814	0	08	13
		821	0	06	48
		824	0	08	63
		826	0	06	61
		829(पी.डब्ल्यू.डी.सड़क)	0	06	75
		1017मिन01	0	09	00
		1018	0	10	34
		1023मिन01	0	07	20
		1052/2056(स.खालखदर)	0	05	44
		1052/2154	}	00	44
		1052/2057			
		1053	0	09	22
		1052/2168	0	01	79
		1024	0	00	67
		1054	0	00	20
		1062	0	04	14
		1063	0	02	60
		1066	0	18	89

तहसील : पिण्डवाड़ा		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7.	भावरी (जारी...)	1069	0	00	35
		1070	0	00	20
		1071(स.रास्ता)	0	02	07
		1075	0	02	88
		1074	0	13	18
		1077	0	08	28
		1073	0	01	00
		1078	0	10	41
		265(स.नाला)	0	03	93
		236	0	00	47
		234	0	05	01
		231	0	01	33
		233	0	06	36
		232	0	07	37
		230	0	05	74
		227	0	05	76
		225	0	13	20
		224	0	11	02
		187(स.नाला)	0	02	13
8.	धनारी	113(स.खालखदर)	0	03	16
		1514	0	14	17
		1519	0	11	62
		1520	0	06	56
		1521	0	12	50
		1522	0	05	82
		1525	0	12	62
		1527	0	12	79
		1529	0	16	29
		1533	0	03	63
		1534	0	00	67
		1477	0	00	20
		1535	0	18	02
		1541	0	00	50
		1542	0	08	83
		1543	0	08	14
		1540	0	02	52
		1444	0	19	86
		1415	0	01	84
		1416	0	04	60
		1414	0	01	61

तहसील : पिण्डवाड़ा		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8.	घनारी (जारी...)	1413	0	00	20
		1417	0	03	22
		1418	0	08	63
		1419	0	08	37
		1420	0	02	78
		1412(स.खालखददर)	0	04	05
		1688(पी.डब्ल्यू.डी.सड़क)	0	01	97
		1689	0	12	02
		1691	0	07	85
		1692	0	06	92
		1693	0	05	89
		1697	0	07	07
		1698(स.रास्ता)	0	01	15
		1704	0	07	99
		1705	0	13	31
		1719	0	09	05
		1717	0	00	20
		1718	0	06	12
		1731	0	10	90
		ख.सं.1731 और 605 } के बीच में(स.रास्ता)	0	00	62
		605	0	15	15
		604	0	16	48
		151(पी.डब्ल्यू.डी.सड़क)	0	04	68
		528	0	07	15
		1751(स.नाला)	0	01	39
		527	0	08	18
		526	0	02	05
		525(स.नाला)	0	03	12
		523	0	00	52
		522	0	10	83
		518	0	12	40
		517	0	00	20
		516	0	06	55
		515	0	06	53
		510	0	07	28
		507	0	07	20
		506	0	08	35
		473(स.रास्ता)	0	02	75
		462	0	03	12

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8.	घनारी (जारी...)	463	0	05	40
		461	0	10	80
		459	0	06	61
		456	0	09	00
		455	0	08	28
		451	0	05	22
		450(स.खालखदर)	0	11	42
		449	0	01	18
		447(पी.डब्ल्यू.डी.सड़क)	0	01	13
		446	0	18	58
		444(सिं.वि.नहर)	0	05	76
		445(सिं.वि.)	0	00	20
		435(सिं.वि.)	0	05	24
		434(सिं.वि.)	0	05	64
		433(सिं.वि.)	0	00	96
		436	0	20	26
		369	0	00	20
		368	0	07	44
		370	0	02	64
		372	0	01	61
		364	0	00	58
		363	0	03	24
		362	0	04	42
		360	0	06	48
		374(स.रास्ता)	0	01	52
		375	0	06	81
		376	0	01	32
		377	0	20	88
		384	0	16	72
		382	0	12	05
		383	0	05	42
		380	0	26	06
		2119/337(रेलवे विभाग)	0	06	36
		2120/337(रेलवे विभाग)			
		2117/337(रेलवे विभाग)			
		196	0	15	16
		205(ग्र.पं.धारागाह)	0	42	14
		166(स.नाला)	0	02	93
9.	कोदरला	522(स.नाला)	0	02	90
		527	0	08	15

तहसील : पिण्डवाड़ा		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
9.	कोदरला (जारी...)	526	0	11	88
		521(स.नाला)	0	02	61
		512	0	13	83
		509	0	15	91
		504	0	27	46
		481	0	05	80
		482	0	07	20
		483	0	05	04
		484	0	00	20
		479(स.भूमि)	0	10	02
		478(स.भूमि)	0	17	16
		477	0	20	97
		477मिन01(स.भूमि)			
		473/2	0	20	33
		473/3	0	13	13
		474	0	52	04
		474मिन01(स.भूमि)			
		474मिन02			
		474मिन03			
		474मिन04	0	01	11
		462(स.सड़क)			
		460			
		460मिन01(स.भूमि)			
		460मिन02	0	49	49
		460मिन03			
		460मिन04			
		440	0	10	08
		441	0	13	80
		439	0	00	42
		442	0	08	56
		357	0	00	20
		358	0	03	60
		459(स.रास्ता)	0	01	42
		350	0	06	48
		349	0	08	10
		348	0	12	74
		347	0	17	97
		345(स.रास्ता)	0	01	75
		315	0	03	30
		314	0	10	54

तहसील : पिण्डवाड़ा		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
9.	कोदरला (जारी...)	316	0	00	20
		313	0	11	22
		311	0	00	55
		312	0	13	01
		305	0	00	30
		307	0	02	59
		306	0	11	61
		300(स.नाला)	0	06	03
		297	0	19	87
		287(स.भूमि)	0	02	96
		291	0	17	77
10.	रामपुरा	130	}	10	82
		130/1			
		152	0	02	56
		131	0	05	04
		151	0	24	85
		132	0	00	20
		150	0	16	47
		186	0	03	36
		149	0	14	08
		187	0	00	20
		148	0	14	11
		147	0	00	84
		188	0	14	56
		191	0	10	25
		195	0	17	10
		194	0	09	74
		197	0	00	52
		199	0	00	52
		198	0	07	98
		210	0	14	43
		209मिन01	0	17	05
		72मिन01	0	04	00
		71मिन01	0	13	32
		70मिन01	0	02	57
		224(स.रास्ता)	0	01	26
		225मिन01	0	14	40
		227मिन01	0	12	24
		229मिन01	0	17	64
		230	0	18	36
		232मिन01	0	03	20

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
10.	रामपुरा (जारी...)	236	0	00	21
		237(स.रास्ता)	0	02	88
		243	0	00	20
		238	0	20	88
		239	0	05	63
		295	0	04	09
11.	इंगरी	297(स.नाला)	0	00	50
		281	0	06	57
		284	0	33	35
		283	0	05	70
		282	0	06	28
		276(स.सड़क)	0	07	65
		164(स.मगरी)	0	11	17
		165(स.रास्ता)	0	02	72
		166	0	05	95
		170	0	14	95
		171	0	06	99
		172	0	14	79
		173	0	07	35
		175	0	07	11
		176	0	01	78
		179(स.रास्ता)	0	03	68
		187	0	02	79
		191	0	10	96
		192	0	08	75
		120	0	11	39
		113	0	17	28
		112	0	03	94
		111	0	18	81
		110	0	00	61
		103	0	00	20
		104	0	09	36
		99	0	03	58
		98	0	07	33
		96	0	03	30
		97मिन	0	01	76
		97/1	0	04	34
		97/2	0	05	62
		97/3	0	01	53
		89	0	05	51
		90/2	0	00	60

तहसील : पिण्डवाड़ा		जिला : सिराही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
11. डूंगरी (जारी...)		90/1	0	02	96
		90मिन	0	02	88
		86	0	02	88
		66(स.रास्ता)	0	02	88
		85	0	00	45
		84(स.नाला)	0	03	06
		83(ग्र.पं.चारागाह)	0	07	94
		81	0	28	80
		78/1	0	16	92
		78/2	0	22	38
		77	0	00	20
		76(स.रास्ता)	0	03	05
		75(स.नाला)	0	06	48
		71(ग्र.पं.चारागाह)	0	01	08
		74	0	46	86
12. बसंतगढ़		1400	0	05	22
		1402	0	04	48
		1404	0	08	72
		1403	0	07	20
		1406	0	24	84
		1405	0	00	20
		1395(स.रास्ता)	0	03	47
		1393	0	00	20
		1390	0	12	34
		1391	0	09	69
		1392	0	05	57
		1374	0	03	61
		1373	0	02	17
		1372	0	05	08
		1368	0	08	81
		1369	0	00	50
		1367	0	12	23
		1336(स.नदी)	0	11	84
		1335	0	03	01
		1335/1			
		335मिन01(स.भूमि)	0	18	11
		1334मिन01			
		1334	0	00	57
13. चवरली		622(ग्र.पं.चारागाह)	0	21	08
		414(ग्र.पं.चारागाह)	0	40	16
		404(ग्र.पं.चारागाह)			

तहसील : पिण्डवाड़ा		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
13.	चवरली (जारी...)	410	0	08	01
		409	0	11	26
		401	0	10	49
		378	0	00	25
		400	0	03	04
		379	0	02	29
		399	0	01	12
		380	0	08	49
		381	0	00	94
		382	0	05	28
		383	0	10	95
		384	0	07	19
		385	0	09	60
	272(स.खड़डा/रास्ता)		0	01	38
	273		0	00	80
	276		0	10	73
	277		0	09	72
	281		0	12	27
	280		0	00	85
	283		0	03	07
	284		0	03	92
	286		0	13	93
	285		0	00	20
	291		0	08	78
	292		0	13	75
	304		0	02	88
	305(स.भूमि)		0	30	17
	314		0	00	55
	219(स.मगरी)		0	46	35
	325		0	08	92
	326		0	09	48
	218		0	23	04
	216		0	18	90
	211		0	09	31
	207		0	02	07
	206(स.रास्ता)		0	02	24
	205		0	21	42
14.	अजारी	557	0	28	51
		558	0	11	62
		559	0	05	98
	561(स.मगरी)		0	08	34

तहसील : पिण्डवाड़ा		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
14. अजारी (जारी...)		565	0	14	12
		556(स.मगरा)	0	10	31
		566	0	00	33
		569	0	11	56
		570	0	05	54
		571	0	02	86
		572	0	13	53
		573	0	11	57
		574	0	11	42
		575	0	14	61
		576	0	00	59
		577(स.रास्ता)	0	01	04
		599	0	11	75
		600(स.नदी)	0	08	64
		601	0	03	22
		604	0	09	25
		605	0	07	92
		608	0	07	20
		607	0	03	60
		617	0	00	76
		682(स.रास्ता)	0	01	62
		495	0	02	21
		494	0	05	81
		493	0	10	98
		491	0	01	35
		490	0	10	90
		485	0	12	36
		478	0	08	81
		474	0	10	52
		471	0	15	09
		465	0	13	27
		463	0	06	92
		402	0	07	93
		403	0	11	48
		396	0	04	86
		404	0	05	17
		394	0	06	06
		393	0	01	92
		392	0	09	90
		407	0	02	55
		379(स.खालअदर)	0	03	24

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
4	5	6			
14. अजारी (जारी...)		378(स.रास्ता)	0	00	90
		377	0	00	90
		306			
		309	0	04	84
		310	0	04	50
		311	0	13	05
		312	0	01	44
		313	0	00	20
		315	0	01	60
		316	0	01	36
		320	0	01	80
		323	0	04	10
		290(स.नदी)	0	10	91
		289(स.रास्ता)	0	08	23
		266	0	15	04
		263	0	10	69
		262	0	11	22
		257	0	00	20
		252	0	00	23
		773(स.रास्ता)	0	02	16
		210	0	04	24
		201	0	10	85
		200	0	04	22
		782	0	03	96
		783	0	13	00
		784	0	01	43
		792	0	12	15
		794	0	06	45
		796	0	06	86
		802	0	10	90
		803	0	04	51
		810	0	01	62
		808	0	00	31
		809	0	04	44
15. पिण्डवाड़ा		3381	0	08	64
		3380	0	10	15
		3385	0	00	20
		3386	0	04	79
		3372	0	00	20
		3387	0	07	52
		3367	0	00	26

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
15.	पिण्डवाड़ा (जारी...)	3408	0	04	09
		3409	0	05	31
		3410	0	10	46
		3411	0	04	53
		3412	0	05	85
		3416	0	01	17
		3413	0	03	10
		3415	0	07	76
		3463	0	11	03
		3462	0	10	76
		3461	0	13	55
		3465(स.रास्ता)	0	03	25
		3468	0	11	11
		3477	0	19	62
		3478	0	06	18
		3481(स.रास्ता)	0	07	53
		3528	0	05	59
		3526	0	10	80
		3525	0	06	15
		3524	0	03	30
		3518	0	17	26
		3519	0	09	05
		3505(स.रास्ता)	0	00	98
		3596	0	05	22
		3596/3881	0	09	36
		3591	0	11	68
		3590	0	08	03
		3602(स.रास्ता)	0	02	60
		3604	0	02	45
		3603	0	13	42
		3618(स.रास्ता)	0	02	64
		3641	0	00	61
		3640	0	04	20
		3639	0	06	47
		3638	0	07	04
		3637	0	09	71
		3634	0	04	66
		3647	0	05	93
		3633	0	09	98
		3632	0	09	30
		3630(स.रास्ता)	0	01	70

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
15.	पिण्डवाड़ा (जारी...)	3625	0	23	39
		3289(सिं.वि.नहर)	0	06	00
		3273	0	08	17
		3274	0	12	05
		3275(स.रास्ता)	0	03	23
		3280	0	01	39
		3279	0	09	72
		3278	0	04	81
		3228	0	00	20
		3276	0	05	33
		3761(स.रास्ता)	0	03	09
		3758	0	13	85
		3766	0	09	90
		3767	0	08	38
		808(स.रास्ता)	0	01	56
		891	0	09	52
		890	0	01	26
		878	0	08	77
		879	0	10	50
		872	0	06	40
		866	0	11	17
		862	0	02	99
		861	0	07	72
		899(स.रास्ता)	0	08	10
		912/1	}	12	14
		912मिन01			
		911/1	}	05	23
		911मिन01			
		913	0	00	30
		930(स.नाला)	0	08	03
		960	0	11	89
		956	0	06	66
		955	0	06	86
		954	0	10	20
		952	0	08	01
		951	0	00	20
		971	0	06	60
		972	0	00	75
		945	0	18	90
		944	0	01	60
		942	0	05	40

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
15.	पिण्डवाड़ा (जारी...)	943	0	00	45
		937	0	06	98
		936	0	00	20
		1051(स.रास्ता)	0	00	20
		807(सिं.वि.नहर)	0	02	58
		1059(सिं.वि.नहर)	0	00	20
		1060(स.रास्ता)	0	01	76
		1348(सिं.वि.नहर)	0	00	36
		1061	0	04	84
		1062	0	00	20
		1067	0	09	90
		1065	0	01	35
		1066	0	02	16
		1070	0	00	29
		1074	0	20	52
		1076	0	00	54
		1082	0	05	35
		1078	0	02	83
		1079	0	04	46
		1081	0	04	43
		1080	0	00	25
		1091	0	02	92
		1092	0	16	57
		1113(स.रास्ता)	0	02	46
		1172	0	11	25
		1207	0	09	36
		1208	0	08	92
		1206	0	00	40
		1205	0	04	86
		1210	0	11	87
		1211	0	04	68
		1217	0	03	32
		1216	0	12	81
		1215	0	00	50
		1213	0	01	27
		1214	0	08	95
		1223	0	04	08
		1224(स.रास्ता)	0	05	47
		1249	0	09	22
		1250	0	02	09
		1251	0	10	70

तहसील : पिण्डवाड़ा		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
15.	पिण्डवाड़ा (जारी...)	1254	0	10	53
	587(वनविभाग सड़क)		0	08	88
	586(स.भूमि)		0	01	67
	1255		0	12	38
	1256		0	17	33
	574(स.रास्ता)		0	04	76
	1257		0	14	82
	1259		0	12	16
	1260		0	10	58
	83(वनविभाग)		0	00	50
	573(न.पा.चारागाह)		0	05	76
	573मिन01(न.पा.)				
	572(पी.डब्ल्यू.डी.सड़क)		0	06	55
	87(न.पा.चारागाह)		1	69	74
	88(स.नाला)		0	05	04
	89(न.पा.)		1	19	86
	66(वनविभाग नाला)		0	04	74
	64(न.पा.चारागाह)		3	50	69
16.	सादलवा	344	0	05	40
	341(स.नाला)		0	01	87
	345		0	08	31
	347		0	00	49
	346		0	22	46
	348		0	20	63
	359(स.रास्ता)		0	10	32
	328		0	49	23
	327		0	21	87
	326(स.नाला)		0	07	17
	197		0	13	65
	198		0	15	63
	199		0	17	19
	200(स.रास्ता)		0	01	55
	201(ग्र.पं.चारागाह)		0	42	32
	268(स.नाला)		0	00	20
	266		0	16	15
	265(स.रास्ता)		0	04	63
	239		0	22	56
	240		0	11	40
	241		0	11	22
	242		0	04	56
	246		0	22	60

तहसील : पिण्डवाड़ा		जिला : सिंदूर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
16.	सादलवा (जारी...)	247	0	00	20
17.	आमली	2(ग्र.पं.चारागाह)	0	36	90
		3	0	16	56
		57(ग्र.पं.चारागाह)	0	93	24

[फा. स. आर-31015/46/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 24th June, 2005

S. O. 2318.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2979 dated the 11th November, 2004, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th November, 2004, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 15th February, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1. KASINDRA		155(G/L Khalkaddar)	0	03	20
		156(G/L Nala)	0	03	14
		158	0	01	12
		159	0	10	32
		160	0	04	32
		142	0	05	52
		141	0	10	36
		136	0	05	91
		135	0	12	91
		126	0	14	00
		124	0	00	43
		128	0	00	20
		127	0	10	32
		122Min01	0	03	43
		114(G/L Nala)	0	04	50
		106	0	12	32
		107	0	06	87
		105	0	02	59
		108	0	13	35
		109	0	09	52
		102	0	12	60
		94	0	02	25
		95	0	09	96
		96	0	00	57
		97(G/L Khalkaddar)	0	09	42
		98	0	04	29
		176(G/L River)	0	10	05
		191	0	03	16
		195	0	14	02
		194	0	01	09
		193	0	06	33
		196	0	09	82
		215(G/L Cart Track)	0	02	75
		214	0	01	88
	228	0	01	26	
	213	0	22	61	
	229	0	00	21	
	232	0	24	84	

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
1. KASINDRA (Contd...)		239	0	05	29	
		243	0	10	24	
		244/498	0	19	11	
		245	0	01	23	
		261/497	0	15	74	
	261Min01(G/L Khalkhaddar)		0	03	24	
		261/475	0	07	48	
		261/1	0	10	33	
		389/470	0	07	14	
		389/471	0	10	28	
		389/486	0	00	76	
		375/437	0	21	02	
		375/434	0	04	27	
		375/468	0	05	34	
		375Min01	0	01	80	
		375/493	0	01	08	
		374	0	02	05	
		375/438	0	00	20	
		359(G/L Cart Track)	0	04	36	
		357	0	03	20	
		356	0	20	84	
		355	0	18	17	
		348	0	01	15	
		361(G/L Nala)	0	01	69	
		362Min01(G/P Pasture)	0	54	29	
		362/429(P.W.D.Road)				
	2. ACHPURA		315	0	30	17
			316	0	30	33
			317(G/L Cart Track)	0	02	52
			301	0	12	26
			303	0	10	81
			305	0	04	27
			304Min	0	12	32
			290min	0	32	56
			290/1			
			290/2			
		290/3				
		290/4	0	24	72	
		278				
		277				
		276(G/P Pasture)	0	50	61	

2. ACHPURA

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
3.	SANGWARA	376(G/L)	0	14	58
		355(G/L)	0	00	43
		355Min			
		356/1	0	18	35
		356(G/L)			
		357	0	09	21
		375	0	26	00
		373/1	0	21	26
		371	0	00	62
		372	0	16	84
		330(G/L)	0	22	06
		327	0	12	05
		325(G/L Nala)	0	04	95
		324	0	06	55
		216(G/L Nala)	0	15	50
		215(G/L)	0	02	85
		210	0	05	63
		209	0	13	08
		208	0	07	47
		207	0	00	25
		193(G/P Pasture)	1	05	13
		142	0	41	56
		141/1	0	07	40
		135	0	20	12
		136/1	0	13	60
		166(G/L Cart Track)	0	09	64
		54	0	14	35
		58	0	19	74
		35	0	16	24
		33	0	12	21
		28	0	18	44
		27	0	06	83
		27/386	0	04	71
		26	0	00	27
		25	0	00	38
		90(G/L Cart Track)	0	04	99
		91	0	00	20
		101(G/L Nala)	0	01	58
4.	PHULABAI KHEDA	576(G/L Nala)	0	02	35
		576/651			

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
4. PHULABAI KHEDA (Contd...)		577Min01	0	18	24	
		589	0	30	08	
		591	0	13	60	
		588	0	00	20	
		587	0	04	68	
		585	0	17	88	
		544(G/L Cart Track)	0	01	57	
		541	0	08	20	
		515/648	0	30	60	
		540	0	00	20	
		515(G/L Nala)	0	24	37	
		494	0	07	83	
		493	0	08	54	
		488	0	30	09	
		484	0	17	57	
		486	0	00	20	
		462/2	0	30	17	
		461	0	22	18	
		460	0	22	36	
		458	0	22	94	
		454	0	31	68	
	5. KACHHOLI		830	0	11	52
			831	0	01	98
			834	0	16	99
			836	0	15	10
			783(G/L Cart Track)	0	02	02
			768	0	20	11
			767	0	29	45
			771	0	01	05
			770	0	04	22
			765	0	01	15
			678(P.W.D. Road)	0	01	42
			674	0	00	20
		673	0	09	80	
		668	0	08	40	
		675	0	00	32	
		667	0	02	70	
		665	0	00	69	
		666	0	04	74	
	647(G/L Cart Track)	0	01	71		

5. KACHHOLI

Tehsil : PINDWARA		District : SIROHI		State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
5. KACHHOLI (Contd...)		548	0	17	30	
		546	0	10	67	
		544	0	04	48	
		542	0	02	28	
		543	0	03	26	
		537	0	08	75	
		538	0	00	42	
		539	0	00	30	
		533	0	01	47	
		540	0	11	98	
		530	0	02	96	
		541	0	03	43	
		523	0	06	65	
		669(G/L River)	0	18	72	
		845(G/L River)	0	30	18	
	6. PATUMBARI		94(G/L River)	0	30	29
			95(G/L Cart Track)	0	03	38
			108	0	09	25
			109	0	07	50
			110	0	05	25
			111	0	00	77
			120	0	00	20
			112	0	04	40
			113	0	06	32
			114	0	06	91
			115	0	03	69
		115/193	0	05	18	
		104	0	13	40	
		103	0	05	53	
		102	0	01	54	
		151	0	24	66	
		152	0	25	37	
		153	0	01	81	
		154(G/L Magri)	0	02	48	
		83	0	05	22	
		155(G/L Magri)	0	37	38	
		161	0	20	50	
		162	0	10	08	
		160(G/L Cart Track)	0	01	72	
		159	0	11	26	

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
6. PATUMBARI (Contd...)		158(G/L Cart Track)	0	02	88	
		64	0	06	63	
		61	0	00	39	
		56	0	21	02	
		53	0	01	40	
		57	0	08	26	
		58	0	07	20	
		52	0	02	88	
		49(G/L Nala)	0	04	11	
		44	0	00	25	
		45	0	05	65	
		46	0	19	62	
		47	0	01	94	
		40(G/L Nala)	0	02	93	
		48	0	00	20	
		39	0	13	93	
		15	0	01	44	
		14	0	06	88	
		13	0	06	43	
		11	0	00	36	
		12	0	05	81	
	7. BHAVRI		623	0	08	16
			622	0	06	80
			621	0	02	88
			617	0	06	52
			618	0	01	71
			620	0	09	31
			619	0	07	92
			555(G/L Khalkhaddar)	0	00	69
			553	0	05	56
			440(G/L Khalkhaddar)	0	03	66
			551(G/L Khalkhaddar)	0	18	48
			624(G/L Nala)	0	05	70
		548	0	01	89	
		547	0	01	90	
		546	0	01	89	
		545	0	00	96	
		441(G/L Cart Track)	0	03	38	
		435	0	06	77	
		438	0	00	20	

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
7. BHAVRI (Contd...)		436	0	03	66	
		434	0	11	89	
		433	0	00	30	
		432	0	00	31	
		431	0	04	56	
		427(G/L Cart Track)	0	01	85	
		426	0	04	13	
		425	0	09	11	
		424	0	08	54	
		423	0	09	09	
		421	0	00	58	
		422	0	06	28	
		781(G/L Khalkhaddar)	0	01	77	
		785(G/L Cart Track)	0	00	82	
		805	0	05	50	
		806	0	11	44	
		807	0	06	17	
		808	0	04	68	
		809	0	04	95	
		810	0	02	85	
		811	0	00	80	
		816	0	05	22	
		814	0	08	13	
		821	0	06	48	
		824	0	08	63	
		826	0	06	61	
		829(P.W.D. Road)	0	06	75	
		1017Min01	0	09	00	
		1018	0	10	34	
		1023Min01	0	07	20	
		1052/2056(G/L Khalkhaddar)	0	05	44	
		1052/2154	}	0	00	44
		1052/2057				
		1053	0	09	22	
	1052/2168	0	01	79		
	1024	0	00	67		
	1054	0	00	20		
	1062	0	04	14		
	1063	0	02	60		
	1066	0	18	89		

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
7. BHAVRI (Contd...)		1069	0	00	35	
		1070	0	00	20	
		1071(G/L Cart track)	0	02	07	
		1075	0	02	88	
		1074	0	13	18	
		1077	0	08	28	
		1073	0	01	00	
		1078	0	10	41	
		265(G/L Nala)	0	03	93	
		236	0	00	47	
		234	0	05	01	
		231	0	01	33	
		233	0	06	36	
		232	0	07	37	
		230	0	05	74	
		227	0	05	76	
		225	0	13	20	
		224	0	11	02	
		187(G/L Nala)	0	02	13	
	8. DHANARI		1513(G/L Khalkhaddar)	0	03	16
			1514	0	14	17
			1519	0	11	62
			1520	0	06	56
		1521	0	12	50	
		1522	0	05	82	
		1525	0	12	62	
		1527	0	12	79	
		1529	0	16	29	
		1533	0	03	63	
		1534	0	00	67	
		1477	0	00	20	
		1535	0	18	02	
		1541	0	00	50	
		1542	0	08	83	
		1543	0	08	14	
		1540	0	02	52	
		1444	0	19	86	
		1415	0	01	84	
		1416	0	04	60	
		1414	0	01	61	

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
8.	DHANARI (Contd...)	1413	0	00	20
		1417	0	03	22
		1418	0	08	63
		1419	0	08	37
		1420	0	02	78
		1412(G/L Khalkhaddar)	0	04	05
		1688(P.W.D.Road)	0	01	97
		1689	0	12	02
		1691	0	07	85
		1692	0	06	92
		1693	0	05	89
		1697	0	07	07
		1698(G/L Cart Track)	0	01	15
		1704	0	07	99
		1705	0	13	31
		1719	0	09	05
		1717	0	00	20
		1718	0	06	12
		1731	0	10	90
		In Between Svy No.1731 & 605(G/L Cart Track)	0	00	62
		605	0	15	15
		604	0	16	48
		151(P.W.D.Road)	0	04	68
		528	0	07	15
		1751(G/L Nala)	0	01	39
		527	0	08	18
		526	0	02	05
		525(G/L Nala)	0	03	12
		523	0	00	52
		522	0	10	83
		518	0	12	40
		517	0	00	20
		516	0	06	55
		515	0	06	53
		510	0	07	28
		507	0	07	20
		506	0	08	35
		473(G/L Cart Track)	0	02	75
		462	0	03	12

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
8.	DHANARI (Contd...)	463	0	05	40
		461	0	10	80
		459	0	06	61
		456	0	09	00
		455	0	08	28
		451	0	05	22
		450(G/L Khalkhaddar)	0	11	42
		449	0	01	18
		447(P.W.D.Road)	0	01	13
		446	0	18	58
		444(Irrig. Deptt.Canal)	0	05	76
		445(Irrig. Deptt.)	0	00	20
		435(Irrig. Deptt.)	0	05	24
		434(Irrig. Deptt.)	0	05	64
		433(Irrig. Deptt.)	0	00	96
		436	0	20	26
		369	0	00	20
		368	0	07	44
		370	0	02	64
		372	0	01	61
		364	0	00	58
		363	0	03	24
		362	0	04	42
		360	0	06	48
		374(G/L Cart Track)	0	01	52
		375	0	06	81
		376	0	01	32
		377	0	20	88
		384	0	16	72
		382	0	12	05
		383	0	05	42
		380	0	26	06
		2119/337(Railway Deptt.)	0	06	36
		2120/337(Railway Deptt.)			
		2117/337(Railway Deptt.)			
		196	0	15	16
		205(G/P Pasture)	0	42	14
		166(G/L Nala)	0	02	93
9.	KODARLA	522(G/L Nala)	0	02	90
		527	0	08	15

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
9. KODARLA (Contd...)		526	0	11	88	
		521(G/L Nala)	0	02	61	
		512	0	13	83	
		509	0	15	91	
		504	0	27	46	
		481	0	05	80	
		482	0	07	20	
		483	0	05	04	
		484	0	00	20	
		479(G/L)	0	10	02	
		478(G/L)	0	17	16	
		477	}	0	20	97
		477Min01(G/L)				
		473/2	0	20	33	
		473/3	0	13	13	
		474	}	0	52	04
		474Min01(G/L)				
		474Min02				
		474Min03				
		474Min04	}	0	01	11
		462(G/L Road)				
		460	}	0	49	49
		460Min01(G/L)				
		460Min02				
		460Min03				
		460Min04	}	0	10	08
		440				
		441				
		439				
		442	0	08	56	
		357	0	00	20	
		358	0	03	60	
		459(G/L Cart Track)	0	01	42	
		350	0	06	48	
	349	0	08	10		
	348	0	12	74		
	347	0	17	97		
	345(G/L Cart Track)	0	01	75		
	315	0	03	30		
	314	0	10	54		

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
9. KODARLA (Contd...)		316	0	00	20	
		313	0	11	22	
		311	0	00	55	
		312	0	13	01	
		305	0	00	30	
		307	0	02	59	
		306	0	11	61	
		300(G/L Nala)	0	06	03	
		297	0	19	87	
		287(G/L)	0	02	96	
		291	0	17	77	
	10. RAMPURA		130	}	10	82
			130/1			
			152	0	02	56
			131	0	05	04
			151	0	24	85
			132	0	00	20
			150	0	16	47
			186	0	03	36
		149	0	14	08	
		187	0	00	20	
		148	0	14	11	
		147	0	00	84	
		188	0	14	56	
		191	0	10	25	
		195	0	17	10	
		194	0	09	74	
		197	0	00	52	
		199	0	00	52	
		198	0	07	98	
		210	0	14	43	
	209Min01	0	17	05		
	72Min01	0	04	00		
	71Min01	0	13	32		
	70Min01	0	02	57		
	224(G/L Cart Track)	0	01	26		
	225Min01	0	14	40		
	227Min01	0	12	24		
	229Min01	0	17	64		
	230	0	18	36		
	232Min01	0	03	20		

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
10. RAMPURA (Contd...)		236	0	00	21
		237(G/L Cart Track)	0	02	88
		243	0	00	20
		238	0	20	88
		239	0	05	63
		295	0	04	09
11. DUNGRI		297(G/L Nala)	0	00	50
		281	0	06	57
		284	0	33	35
		283	0	05	70
		282	0	06	28
		276(G/L Road)	0	07	65
		164(G/L Magri)	0	11	17
		165(G/L Cart Track)	0	02	72
		166	0	05	95
		170	0	14	95
		171	0	06	99
		172	0	14	79
		173	0	07	35
		175	0	07	11
		176	0	01	78
		179(G/L Cart Track)	0	03	68
		187	0	02	79
		191	0	10	96
		192	0	08	75
		120	0	11	39
		113	0	17	28
		112	0	03	94
		111	0	18	81
		110	0	00	61
		103	0	00	20
		104	0	09	36
		99	0	03	58
		98	0	07	33
		96	0	03	30
		97Min	0	01	76
	97/1	0	04	34	
	97/2	0	05	62	
	97/3	0	01	53	
	89	0	05	51	
	90/2	0	00	60	

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
11. DUNGRI (Contd...)		90/1	0	02	96	
		90Min	0	02	88	
		86	0	02	88	
		66(G/L Cart Track)	0	02	88	
		85	0	00	45	
		84(G/L Nala)	0	03	06	
		83(G/P Pasture)	0	07	94	
		81	0	28	80	
		78/1	0	16	92	
		78/2	0	22	38	
		77	0	00	20	
		76(G/L Cart Track)	0	03	05	
		75(G/L Nala)	0	06	48	
		71(G/P Pasture)	0	01	08	
		74	0	46	86	
	12. BASANTGARH		1400	0	05	22
			1402	0	04	48
			1404	0	08	72
			1403	0	07	20
			1406	0	24	84
		1405	0	00	20	
		1395(G/L Cart Track)	0	03	47	
		1393	0	00	20	
		1390	0	12	34	
		1391	0	09	69	
		1392	0	05	57	
		1374	0	03	61	
		1373	0	02	17	
		1372	0	05	08	
		1368	0	08	81	
		1369	0	00	50	
		1367	0	12	23	
		1336(G/L River)	0	11	84	
		1335	}	0	03	01
		1335/1				
		1335Min01(G/L)				
		1334Min01	0	18	11	
		1334	0	00	57	
13. CHAVARLI			622(G/P Pasture)	0	21	08
			414(G/P Pasture)	}	0	40
		404(G/P Pasture)				

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
13. CHAVARLI (Contd...)		410	0	08	01	
		409	0	11	26	
		401	0	10	49	
		378	0	00	25	
		400	0	03	04	
		379	0	02	29	
		399	0	01	12	
		380	0	08	49	
		381	0	00	94	
		382	0	05	28	
		383	0	10	95	
		384	0	07	19	
		385	0	09	60	
		272(G/L Khadda/Cart Track)	0	01	38	
		273	0	00	80	
		276	0	10	73	
		277	0	09	72	
		281	0	12	27	
		280	0	00	85	
		283	0	03	07	
		284	0	03	92	
		286	0	13	93	
		285	0	00	20	
		291	0	08	78	
		292	0	13	75	
		304	0	02	88	
		305(G/L)	0	30	17	
		314	0	00	55	
		219(G/L Magri)	0	46	35	
		325	0	08	92	
		326	0	09	48	
		218	0	23	04	
		216	0	18	90	
		211	0	09	31	
		207	0	02	07	
		206(G/L Cart Track)	0	02	24	
		205	0	21	42	
	14. AJARI		557	0	28	51
			558	0	11	62
			559	0	05	98
		561(G/L Magri)	0	08	34	

Tehsil : PINDWARA		District : SIKOLI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr
1	2	3	4	5	6
14. AJARI (Contd...)		565	0	14	12
		556(G/L Magra)	0	10	31
		566	0	00	33
		569	0	11	56
		570	0	05	54
		571	0	02	86
		572	0	13	53
		573	0	11	57
		574	0	11	42
		575	0	14	61
		576	0	00	59
		577(G/L Cart Track)	0	01	04
		599	0	11	75
		600(G/L River)	0	08	64
		601	0	03	22
		604	0	09	25
		605	0	07	92
		608	0	07	20
		607	0	03	60
		617	0	00	76
		682(G/L Cart Track)	0	01	62
		495	0	02	21
		494	0	05	81
		493	0	10	97
		491	0	01	35
		490	0	10	90
		485	0	12	36
		478	0	08	81
		474	0	10	52
		471	0	15	09
		465	0	13	27
		463	0	06	92
		402	0	07	93
		403	0	11	48
		396	0	04	86
		404	0	05	17
		394	0	06	06
		393	0	01	92
		392	0	09	90
		407	0	02	55
		379(G/L Khalkhaddar)	0	03	24

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
14.	AJARI (Contd...)	378(G/L Cart Track)	0	00	90
		377	}	0	00
		306			
		309	0	04	84
		310	0	04	50
		311	0	13	05
		312	0	01	44
		313	0	00	20
		315	0	01	60
		316	0	01	36
		320	0	01	80
		323	0	04	10
		290(G/L River)	0	10	91
		289(G/L Cart Track)	0	08	23
		266	0	15	04
		263	0	10	69
		262	0	11	22
		257	0	00	20
		252	0	00	23
		773(G/L Cart Track)	0	02	16
		210	0	04	24
		201	0	10	85
		200	0	04	22
		782	0	03	96
		783	0	13	00
		784	0	01	43
		792	0	12	15
		794	0	06	45
		796	0	06	86
		802	0	10	90
		803	0	04	51
		810	0	01	62
		808	0	00	31
		809	0	04	44
15.	PINDWARA	3381	0	08	64
		3380	0	10	15
		3385	0	00	20
		3386	0	04	79
		3372	0	00	20
		3387	0	07	52
		3367	0	00	26

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
15.	PINDWARA (Contd...)	3408	0	04	09
		3409	0	05	31
		3410	0	10	46
		3411	0	04	53
		3412	0	05	85
		3416	0	01	17
		3413	0	03	10
		3415	0	07	76
		3463	0	11	03
		3462	0	10	76
		3461	0	13	55
		3465(G/L Cart Track)	0	03	25
		3468	0	11	11
		3477	0	19	62
		3478	0	06	18
		3481(G/L Cart Track)	0	07	53
		3528	0	05	59
		3526	0	10	80
		3525	0	06	15
		3524	0	03	30
		3518	0	17	26
		3519	0	09	05
		3505(G/L Cart Track)	0	00	98
		3596	0	05	22
		3596/3881	0	09	36
		3591	0	11	68
		3590	0	08	03
		3602(G/L Cart Track)	0	02	60
		3604	0	02	45
		3603	0	13	42
		3618(G/L Cart Track)	0	02	64
		3641	0	00	61
		3640	0	04	20
		3639	0	06	47
		3638	0	07	04
		3637	0	09	71
		3634	0	04	66
		3647	0	05	93
		3633	0	09	98
		3632	0	09	30
		3630(G/L Cart Track)	0	01	70

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
15.	PINDWARA (Contd...)	3625	0	23	39
		3289(Irrig.Deptt.Canal)	0	06	00
		3273	0	08	17
		3274	0	12	05
		3275(G/L Cart Track)	0	03	23
		3280	0	01	39
		3279	0	09	72
		3278	0	04	81
		3228	0	00	20
		3276	0	05	33
		3761(G/L Cart Track)	0	03	09
		3758	0	13	85
		3766	0	09	90
		3767	0	08	38
		808(G/L Cart Track)	0	01	56
		891	0	09	52
		890	0	01	26
		878	0	08	77
		879	0	10	50
		872	0	06	40
		866	0	11	17
		862	0	02	99
		861	0	07	72
		899(G/L Cart Track)	0	08	10
		912/1	}	12	14
		912Min01			
		911/1	}	05	23
		911Min01			
		913	0	00	30
		930(G/L Nala)	0	08	03
		960	0	11	89
		956	0	06	66
		955	0	06	86
		954	0	10	20
		952	0	08	01
		951	0	00	20
		971	0	06	60
		972	0	00	75
		945	0	18	90
		944	0	01	60
		942	0	05	40

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
15. PINDWARA (Contd...)		943	0	00	45
		937	0	06	98
		936	0	00	20
		1051(G/L Cart Track)	0	00	20
		807(Irrg.Deptt.Canal)	0	02	58
		1059(Irrg.Deptt.Canal)	0	00	20
		1060(G/L Cart Track)	0	01	76
		1348(Irrg.Deptt.Canal)	0	00	36
		1061	0	04	84
		1062	0	00	20
		1067	0	09	90
		1065	0	01	35
		1066	0	02	16
		1070	0	00	29
		1074	0	20	52
		1076	0	00	54
		1082	0	05	35
		1078	0	02	83
		1079	0	04	46
		1081	0	04	43
		1080	0	00	25
		1091	0	02	92
		1092	0	16	57
		1113(G/L Cart Track)	0	02	46
		1172	0	11	25
		1207	0	09	36
		1208	0	08	92
		1206	0	00	40
		1205	0	04	86
		1210	0	11	87
		1211	0	04	68
		1217	0	03	32
		1216	0	12	81
		1215	0	00	50
		1213	0	01	27
		1214	0	08	95
		1223	0	04	08
		1224(G/L Cart Track)	0	05	47
		1249	0	09	22
		1250	0	02	09
	1251	0	10	70	

Tehsil : PINDWARA		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
15. PINDWARA (Contd...)					
		1254	0	10	53
		587(Forest Deptt.Road)	0	08	88
		586(G/L)	0	01	67
		1255	0	12	38
		1256	0	17	33
		574(G/L Cart Track)	0	04	76
		1257	0	14	82
		1259	0	12	16
		1260	0	10	58
		83(Forest Deptt.)	0	00	50
		573(N/P Pasture)	0	05	76
		573Min01(N/ P)			
		572(P.W.D. Road)	0	06	55
		87(N/ P Pasture)	1	69	74
		88(G/L Nala))	0	05	04
		89(N/ P)	1	19	86
		66(Forest Deptt.Nala)	0	04	74
		64(N/ P Pasture)	3	50	69
16. SADALWA					
		344	0	05	40
		341(G/L Nala)	0	01	87
		345	0	08	31
		347	0	00	49
		346	0	22	46
		348	0	20	63
		359(G/L Cart Track)	0	10	32
		328	0	49	23
		327	0	21	87
		326(G/L Nala)	0	07	17
		197	0	13	65
		198	0	15	63
		199	0	17	19
		200(G/L Cart Track)	0	01	55
		201(G/P Pasture)	0	42	32
		268(G/L Nala)	0	00	20
		266	0	16	15
		265(G/L Cart Track)	0	04	63
		239	0	22	56
		240	0	11	40
		241	0	11	22
		242	0	04	56
		246	0	22	60

Tehsil : PINDWARA		District : SIKOH	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
16.	SADALWA (Contd...)	247	0	00	20
17.	AMLI	2(G/P Pasture)	0	36	90
		3	0	16	56
		57(G/P Pasture)	0	93	24

[No. R-31015/46/2004-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 24 जून, 2005

का. आ. 2319.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 3148 तारीख 7 दिसम्बर, 2004, जो भारत के राजपत्र तारीख 11 दिसम्बर, 2004, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 31 जनवरी, 2005, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख की केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर.-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अधीन सभी विल्लंगनों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : फागी		जिला : जयपुर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1.	बुकनी	164	0	00	20
		178/7	0	22	51
		179(स.रास्ता)	0	01	42
		180(स.चारागाह)	0	26	02
		320(सि.वि.नहर)	0	03	12
		333/2(स.आबादी)	1	32	16
		333/3मिन1(स.चारागाह)			
		333/3(स.भूमि)			
		333/3मिन(स.भूमि)			
		341	0	13	86
		342(स.भूमि)	0	04	51
		343	0	10	99
		366(स.रास्ता)	0	00	73
		349(स.भूमि)	0	10	19
		357	0	20	99
		356मिन2(स.भूमि)	0	29	52
		354(स.पाल)	0	01	48
		448/606(स.खारड़ा)	0	31	68
		573	0	00	68
		572	0	07	20
		571(स.रास्ता)	0	00	83
		570(स.खारड़ा)	0	04	28
		569	0	04	56
		568	0	02	05
		565(स.रास्ता)	0	02	22
		566	0	00	24
		564	0	03	03
		563	0	02	80
		551	0	04	14
		552	0	10	99
		553	0	05	46
		547	0	02	63
		554	0	08	46
		555	0	13	40
		556	0	00	20
		557	0	11	30
		537	0	13	02
		536	0	00	20

तहसील : फागी		जिला : जयपुर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1.	बुकनी (जारी...)	558(स.नदी)	0	32	59
		598/4	0	20	71
2.	नन्दलालपुरा	161	0	17	27
		160/2	0	20	27
		159	0	12	62
		166	0	00	87
		158	0	00	23
		167	0	13	56
		168	0	01	89
		180(सि.वि.नहर)	0	05	10
		201	0	11	26
		199	0	14	47
		198	0	00	90
		197	0	08	09
		205(सि.वि.नहर)	0	01	12
		217	0	06	01
		218	0	00	20
		220	0	20	36
		224	0	00	30
		225	0	04	50
		228	0	20	39
		231	0	06	00
		232	0	05	36
		233	0	06	77
		234	0	07	85
		278	0	00	20
		275	0	12	50
		274	0	10	20
		273	0	07	12
		335(सि.वि.नहर)	0	01	61
		272	0	00	20
		327	0	01	94
		328	0	17	87
		333	0	11	34
		330	0	00	42
		332	0	04	51
		341	0	00	20
		342(सि.वि.नहर)	0	01	81
		344	0	01	69
		343(स.भूमि)	0	01	78

तहसील : फागी		जिला : जयपुर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
3.	शेरपुरा	184(स.झरडा)	0	04	54
		183	0	01	97
		182	0	00	20
		180	0	04	53
		181	0	04	55
		233/1	0	36	46
		233/3			
		233/4			
		233/5			
		233/6			
		234(सि.वि.नहर)	0	01	65
		235(सि.वि.नहर)	0	00	74
		236(सि.वि.नहर)	0	01	76
		239(स.चारागाह)	0	65	28
		245	0	26	18
		244	0	00	20
		248(स.रास्ता)	0	00	80
		250	0	00	82
		247	0	00	84
		251	0	02	18
		255	0	10	87
		254	0	08	31
		253	0	10	75
		84	0	18	52
		83	0	03	50
		59(स.रास्ता)	0	01	42
		258(स.चारागाह)	0	03	32
		50/1	0	00	20
		50/2(स.चारागाह)	0	62	85
		49	0	07	22

[फा. सं. आर-31015/59/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 24th June, 2005

S. O. 2319.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3148 dated the 7th December, 2004, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act, published in the Gazette of India dated the 11th December, 2004, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 31st January, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

SCHEDULE

Tehsil : PHAGI		District : JAIPUR	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1.	BUKNI	164	0	00	20
		178/7	0	22	51
		179(G/L Cart Track)	0	01	42
		180(G/L Pasture)	0	26	02
		320(Irri.Deptt.Canal)	0	03	12
		333/2(G/L Abadi)	1	32	16
		333/3Min1(G/L Pasture)			
		333/3(G/L)			
		333/3Min(G/L)			
		341	0	13	86
		342(G/L)	0	04	51
		343	0	10	99
		366(G/L Cart Track)	0	00	73
		349(G/L)	0	10	19
		357	0	20	99
		356Min2(G/L)	0	29	52
		354(G/L Pal)	0	01	48
		448/606(G/L Kharda)	0	31	68
		573	0	00	68
		572	0	07	20

Tehsil : PHAGI		District : JAIPUR	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1. BUKNI (Contd...)		571(G/L Cart Track)	0	00	83
		570(G/L Kharda)	0	04	28
		569	0	04	56
		568	0	02	05
		565(G/L Cart Track)	0	02	22
		566	0	00	24
		564	0	03	03
		563	0	02	80
		551	0	04	14
		552	0	10	99
		553	0	05	46
		547	0	02	63
		554	0	08	46
		555	0	12	40
		556	0	00	20
		557	0	11	30
		537	0	13	02
		536	0	00	20
		558(G/L River)	0	32	59
	2. NANDALALPURA		598/4	0	20
		161	0	17	27
		160/2	0	20	27
		159	0	12	62
		166	0	00	87
		158	0	00	23
		167	0	13	56
		168	0	01	89
		180(Irri.Deptt.Canal)	0	05	10
		201	0	11	26
		199	0	14	47
		198	0	00	90
		197	0	08	09
		205(Irri.Deptt.Canal)	0	01	12
		217	0	06	01
		218	0	00	20
		220	0	20	36
		224	0	00	30
		225	0	04	50
		228	0	20	39
	231	0	06	00	
	232	0	05	36	

Tehsil : PHAGI		District : JAIPUR	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
2.	NANDALAL PURA (contd--)	233	0	06	77	
		234	0	07	85	
		278	0	00	20	
		275	0	12	50	
		274	0	10	20	
		273	0	07	12	
		335(Irri.Deptt.Canal)	0	01	61	
		272	0	00	20	
		327	0	01	94	
		328	0	17	87	
		333	0	11	34	
		330	0	00	42	
		332	0	04	51	
		341	0	00	20	
		342(Irri.Deptt.Canal)	0	01	81	
		344	0	01	69	
		343(G/L)	0	01	78	
		184(G/L Jharda)	0	04	54	
		183	0	01	97	
		182	0	00	20	
		180	0	04	53	
		181	0	04	55	
		233/1	}	0	36	46
		233/3				
		233/4				
		233/5				
		233/6				
		234(Irri.Deptt.Canal)	0	01	65	
		235(Irri.Deptt.Canal)	0	00	74	
		236(Irri.Deptt.Canal)	0	01	76	
		239(G/L Pasture)	0	65	28	
		245	0	26	18	
		244	0	00	20	
		248(G/L Cart Track)	0	00	80	
		250	0	00	82	
		247	0	00	84	
		251	0	02	18	
255	0	10	87			
254	0	08	31			
253	0	10	75			
84	0	18	52			
3.	SHERPURA					

1	2	3	4	5	6
3.	SHER PURA (contd...)	83	0	03	50
		59(G/L Cart Track)	0	01	42
		258(G/L Pasture)	0	03	32
		50/1	0	00	20
		50/2(G/L Pasture)	0	62	85
		49	0	07	22

[No. R-31015/59/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 24 जून, 2005

का. आ. 2320.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2978 तारीख 11 नवम्बर, 2004, जो भारत के राजपत्र तारीख 20 नवम्बर, 2004, में प्रकाशित की गई थी। द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुन्दा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुन्दा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 27 जनवरी, 2005, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियां का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर.-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अधीन सभी विल्लंगनों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1.	आमलीया	3	0	13	32
		6(स.रास्ता)	0	04	94
		91	0	04	50
		90	0	29	19
		9	0	12	34
		8	0	00	48
		10	0	00	20
		16	0	01	00
		11	0	02	00
		22	0	06	54
		23	0	06	12
		24	0	12	75
		25	0	11	15
		26	0	12	24
		27	0	24	77
		33	0	46	09
		34	0	08	69
		35	0	19	51
		36	0	14	66
		36/461	0	04	97
		37	0	09	83
		39	0	41	40
		40	0	04	40
2.	नाना	916(स.नदी)	0	25	55
		917(पी.डब्ल्यू.डी.सड़क)	0	07	25
		918(स.भूमि)	0	72	75
		918/4250	0	62	92
		920(स.भूमि)	0	17	36
		925(स.वाला)	0	01	14
		922	0	97	42
		921(स.मगरी)	0	17	21
		1166	0	17	33
		1161	0	26	25
		1160(स.नाला)	0	04	24
		1154	0	14	51
		1155(स.आबादी)	0	00	44
		1153	0	13	56

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
2.	नाना (जारी...)	1150	0	29	52
		1147(स.भूमि)	0	20	47
		1145	0	26	94
		1142(स.नाला)	0	02	24
		1139	0	20	42
		1140(स.रास्ता)	0	03	50
		2096	0	20	56
		2099	0	03	51
		2103	0	17	88
		2102	0	00	20
		2115(स.नाला)	0	01	50
		2186	0	05	48
		2185(स.भूमि)	0	01	41
		2184(स.भूमि)	0	05	55
		2183(स.भूमि)	0	17	43
		2182(स.भूमि)	0	01	93
		2181(स.रास्ता)	0	10	36
		2154	0	00	20
		2193(स.मगरा)	0	00	20
		2196(स.मगरा)	0	00	20
		2166	0	06	21
		2165	0	00	20
		2167	0	06	81
		2168	0	05	68
		2169	0	05	76
		2170	0	01	02
		2197(स.मगरा)	0	00	20
		2198	0	00	56
		2199(स.मगरा)	0	01	49
		2200	0	02	67
		2201(स.मगरा)	0	05	81
		2204/4161(स.भूमि)	0	00	20
		2202(स.भूमि)	0	12	43
		2203	0	09	59
		2418(पी.डब्ल्यू.डी.सड़क)	0	04	39
		2424(स.मगरी)	0	07	20
		2420/2	0	06	96
		2420/3	0	07	56
		2420मिन	0	16	56

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
2.	नाना (जारी...)	2419(स.रास्ता)	0	12	43
		2417(स.मगरी)	0	13	92
		2416(स.रास्ता)	0	02	52
		2415(वनविभाग)	0	80	56
		2477(वनविभाग)	0	81	86
3.	कागदड़ा	362(स.माइंस)	0	00	20
		360	0	47	33
		359	0	02	15
		354(स.वाला)	0	07	04
		353	0	21	68
		349	0	40	92
		350	0	00	20
		343	0	05	41
		342	0	10	16
		339	0	04	40
		19(स.रास्ता)	0	02	91
		18	0	05	70
		12(स.भूमि)	0	02	32
		13	0	12	38
		8	0	10	68
		7	0	06	47
		5	0	08	49
		4(स.भूमि)	0	07	82
		20(स.नदी)	0	26	96
		72	0	09	69
		71	0	09	41
		76	0	00	30
		77	0	00	20
		79	0	00	20
		68	0	28	13
		64(स.भूमि)	0	08	36
		66	0	02	14
		67	0	00	60
		63	0	02	60
		65	0	03	46
		58	0	06	62
		85	0	00	50
		60	0	01	65
		57	0	10	38

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
3.	कागदहा (जारी...)	54(स.रास्ता)	0	02	93
		33	0	04	92
		32	0	02	32
		31	0	10	69
		29	0	11	55
		25	0	07	49
		24	0	25	07
		41(स.रास्ता)	0	01	10
4.	भन्दर	3459(स.भाखर)	0	01	95
		3461(स.भूमि)	0	19	98
		3462(स.वाला)	0	01	65
		3463(स.भूमि)	0	32	06
		3473(स.भूमि)	0	07	66
		3472(स.रास्ता)	0	00	74
		3471(स.भूमि)	0	14	33
		3470/4794(स.भूमि)	0	30	47
		3512(स.रास्ता)	0	07	38
		4038	0	06	18
		4035(स.भाखर)	0	08	16
		4003(स.नाला)	0	01	41
		4001	0	10	26
		4002(स.रास्ता)	0	02	16
		3988	0	07	09
		3987	0	00	26
		3990	0	11	40
		3986(स.भूमि)	0	03	07
		3983	0	13	94
		3984	0	01	33
		3982	0	06	03
		3980	0	03	80
		3981	0	05	73
		3977	0	03	70
		3976	0	07	11
		3973	0	22	33
		3961	0	05	36
		3960	0	12	19
		3960/4756	0	06	84
		3932	0	01	86
		3910	0	00	66

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गोंव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
4.	भन्दर (जारी...)	3911	0	25	43
		3907	0	26	81
		3898	0	14	31
		3899	0	06	52
		3895	0	13	95
		3894	0	02	37
		3891	0	05	64
		3892	0	15	37
		3890	0	06	54
		3889	0	09	49
		3855(स.रास्ता)	0	02	80
		3854	0	19	62
		3912	0	01	50
		3913	0	00	58
		3914	0	00	20
		3853	0	05	45
		3840(स.नाला)	0	12	53
		4268	0	05	71
		4270(स.रास्ता)	0	01	61
		4271(स.भूमि)	0	22	75
		4272	0	19	04
		3834	0	09	24
		3829(स.नाला)	0	12	42
		3819	0	21	00
		3816	0	00	51
		3817	0	11	71
		3818	0	12	99
		3801(स.रास्ता)	0	03	36
		3796	0	22	40
		3794	0	06	71
		669	0	03	60
		666	0	11	98
		665	0	07	74
		662	0	00	20
		661	0	01	40
		660	0	07	88
		659	0	04	57
		658	0	26	98
		657(स.भूमि)	0	49	08

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
5.	सेन्दला (जारी...)	673(स.रास्ता)	0	19	29
		695(स.भूमि)	0	01	95
		693	0	20	18
		686	0	21	94
		684	0	04	08
		683	0	00	63
		582(स.नदी)	0	19	42
		580	0	02	05
		579	0	03	36
		578	0	00	20
		555	0	12	41
		556	0	05	88
		557	0	06	27
		558	0	06	30
		559	0	13	16
		562	0	08	93
		560	0	03	48
		561	0	00	90
		304(स.रास्ता)	0	03	08
		471	0	13	26
		472	0	07	40
		469	0	05	85
		473	0	05	92
		468	0	13	61
		467	0	11	59
		464	0	07	66
		459	0	05	97
		458	0	02	05
		454	0	08	42
		455	0	05	68
		438	0	03	68
		445(स.भूमि)	0	11	76
		439	0	02	16
		444	0	03	48
		401(स.भूमि)	0	92	40
		491	0	01	12
6.	बेडा	2174(स.पहाड़)	0	93	60
		2177	0	18	00
		2178(स.भूमि)	0	11	18

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	बेडा (जारी...)	2176	0	00	36
		2285(स.मगरा)	0	77	20
		2300(स.भाखर)	0	15	68
		2299	0	16	46
		2298	0	12	75
		2320	0	09	69
		2322	0	13	75
		2279(स.रास्ता)	0	01	98
		2336	0	18	82
		2340	0	02	88
		2341	0	05	88
		2343	0	00	20
		2344	0	00	20
		2346(स.नाला)	0	01	87
		2347	0	04	01
		2350	0	05	08
		2351	0	04	57
		2354	0	04	19
		2357	0	01	55
		2356	0	02	98
		2358	0	01	97
		2359	0	01	77
		2363	0	02	88
		2364	0	01	26
		2365	0	00	20
		2368	0	03	01
		2367	0	08	63
		2394(स.नाला)	0	01	72
		2398	0	03	38
		2397	0	05	23
		2405	0	09	54
		2406(स.सड़क)	0	07	02
		2420	0	05	93
		2421	0	05	84
		2422	0	04	79
		2423	0	04	19
		2426	0	04	09
		2484/4971	0	15	81
		2433	0	00	38

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	बेडा (जारी...)	2434(स.भूमि)	0	00	87
		2435	0	00	20
		2484(स.नाला)	0	14	32
		2630	0	01	65
		2613	0	12	38
		2614	0	11	88
		2616	0	08	72
		2624	0	14	27
		2620	0	14	12
		2590(स.रास्ता)	0	01	66
		2801	0	11	10
		2802	0	03	62
		2803	0	09	73
		2777/1(स.भूमि)	0	14	80
		2777/4	0	06	48
		2834	0	10	76
		2835	0	01	24
		2838(स.रास्ता)	0	02	03
		2864	0	13	37
		2860	0	00	20
		2863	0	13	05
		2861	0	05	17
		2862	0	12	55
		2934(स.रास्ता)	0	02	09
		3015	0	18	75
		3016	0	09	56
		3010	0	06	52
		3021	0	15	60
		3022	0	06	93
		3001	0	00	20
		3000	0	01	18
		3023	0	06	15
		2999	0	01	83
		2998	0	13	51
		2997	0	14	27
		3033	0	13	78
		3034(स.नाला)	0	05	51
		3205(स.भूमि)	0	02	26
		3204(स.भूमि)	0	00	70

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	बेडा (जारी...)	3203(स.रास्ता)	0	02	39
		3201	0	24	21
		3202/4966	0	11	22
		3202	0	49	89
		3419	0	17	45
		3418	0	00	23
		3443	0	28	78
		3444	0	03	41
		3442	0	04	47
		3433	0	00	25
		3434	0	08	68
		3441	0	00	64
		3435	0	07	15
		3436	0	04	99
		3438	0	00	20
		3437	0	06	96
		3472(स.रास्ता)	0	02	77
		3521	0	18	13
		3520	0	01	60
		3519	0	19	19
		3518	0	05	72
		3517	0	10	95
		3510	0	07	07
		3508	0	15	22
		3507	0	15	01
		3501	0	16	76
		3499(स.रास्ता)	0	08	60
		3498/4810	0	05	63
		3861(स.रास्ता)	0	06	18
		3862(स.भूमि)	0	04	41
		3865	0	05	97
		3866	0	17	75
		3871	0	09	00
		3874	0	08	69
		3878	0	09	64
		3883	0	08	11
		3882	0	08	66
		3892	0	15	32
		3893	0	23	11

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
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			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	बेडा (जारी...)	3964	0	14	31
		3957	0	14	74
		3956	0	11	62
		3952	0	13	27
		3950	0	08	27
		3949	0	09	54
		3937(स.रास्ता)	0	05	18
		3939	0	32	42
		3931(स.रास्ता)	0	03	57
		3930/4814(स.भूमि)	0	19	48
		3929	0	15	48
		3940(स.नाला)	0	00	30
7.	भाटुन्द	2486	0	62	64
		2490	0	23	14
		2491	0	21	96
		2337	0	04	62
		2339	0	07	93
		2340	0	09	55
		2341	0	06	17
		2342	0	07	01
		2351	0	11	43
		2354	0	07	47
		2362	0	06	73
		2360	0	01	38
		2361	0	13	97
		2359	0	02	55
		2365	0	06	55
		2369	0	20	82
		2228	0	00	20
		2370	0	04	19
		2227	0	02	00
		2371	0	05	90
		2372	0	03	91
		2373	0	10	23
		2205	0	13	35
		2213	0	01	96
		2206	0	08	21
		2207	0	00	20
		2204	0	06	30

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
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			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7.	भाटुन्द (जारी...)	2203	0	10	51
		2199	0	07	65
		2200	0	09	36
		2201	0	04	37
		2191	0	08	00
		2291(स.रास्ता)	0	07	30
		2190	0	00	32
		2172(स.रास्ता)	0	00	20
		2143	0	44	56
		2157	0	11	63
		2158	0	06	47
		2034(स.रास्ता)	0	02	10
		2021	0	25	31
		2020(स.भूमि)	0	10	49
		2022	0	00	20
		2019	0	14	40
		1939	0	03	60
		1793(स.नाला)	0	02	30
		1785(स.भूमि)	0	25	44
		1792	0	01	60
		1787	0	01	50
		1789	0	00	20
		1786(स.नाडी)	0	14	40
		1784(स.नाडी)	0	02	37
		1777	0	28	44
		1732(स.रास्ता)	0	02	16
		1778(स.नदी)	0	25	20
		1389	0	10	48
		1390	0	17	77
		1391	0	05	27
		1396	0	10	56
		1395	0	07	61
		1397(स.रास्ता)	0	01	80
		1398	0	07	88
		1412	0	15	19
		1411	0	09	46
		1409	0	03	84
		1426	0	01	36
		1427	0	08	28

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7. भाटुब्ब (जारी...)					
		1429	0	08	92
		1438	0	05	22
		1432	0	05	62
		1433	0	05	08
		1370(स.रास्ता)	0	01	41
		1344	0	07	94
		1343	0	00	25
		1345	0	08	03
		1346	0	00	35
		1347	0	01	38
		1351(स.रास्ता)	0	02	29
		1352	0	13	05
		1210(पी.डब्ल्यू.डी.सड़क)	0	03	12
		1150	0	15	48
		1149	0	09	12
		1148	0	11	16
		1147	0	05	22
		1146	0	05	06
		1145	0	04	96
		1144	0	05	40
		1143	0	04	73
		1140	0	24	74
		1139	0	00	20
		1141	0	00	20
		1172	0	13	21
		1171	0	03	93
		1198	0	11	99
		1199	0	05	33
		1194	0	09	34
		1190(स.नाला)	0	08	41
		1191	0	13	14
8. बीजापुर					
		201	0	06	14
		200(स.रास्ता)	0	02	33
		178	0	02	31
		196	0	00	25
		180	0	13	51
		181	0	16	52
		188	0	13	30
		187	0	08	69
		186	0	15	97

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8.	बीजापुर (जारी...)	248	0	18	84
		243	0	16	38
		244	0	00	20
		261 (स.रास्ता)	0	05	59
		275	0	10	26
		277 (स.भूमि)	0	03	83
		274	0	11	52
		278	0	01	98
		295 (स.रास्ता)	0	01	14
		305	0	10	44
		307	0	16	24
		308	0	18	11
		309	0	00	42
		336 (स.रास्ता)	0	00	57
		364/2920 (स.भूमि)	0	21	96
		364/2820			
		364	0	31	88
		363	0	06	04
		359	0	15	46
		360	0	00	40
		1026 (स.रास्ता)	0	04	87
		1009	0	11	31
		1006	0	28	07
		1003	0	00	20
		1005	0	12	96
		1004	0	19	77
		718 (स.नाला)	0	08	82
		715 (स.भूमि)	0	21	51
		714	0	30	87
		719 (स.भूमि)	0	13	11
		786 (स.नाला)	0	00	20
		720/2933	0	04	93
		720	0	07	39
		721	0	06	70
		728 (स.रास्ता)	0	01	80
		722	0	06	12
		723	0	09	20
		725	0	06	14
		727	0	00	22

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8.	बीजापुर (जारी...)	726	0	08	08
		733	0	19	08
		732	0	21	26
		731	0	23	33
9.	पादरला	566	0	08	87
		563	0	10	40
		576	0	01	64
		575	0	06	68
		577	0	01	28
		579	0	05	28
		578	0	01	89
		580	0	15	52
		582	0	10	42
		590	0	01	12
		638/817	0	10	16
		591	0	09	87
		636	0	00	91
		635	0	16	56
		634	0	07	21
		633	0	08	84
		595	0	00	20
		632	0	16	70
		629	0	06	99
		630	0	08	99
		626(स.रास्ता)	0	00	75
		621	0	09	05
		620	0	13	29
		618	0	14	31
		528(स.रास्ता)	0	09	89
		377	0	24	11
		362(स.रास्ता)	0	01	26
		71	0	04	63
		70	0	06	15
		69	0	07	05
		81	0	17	69
		59	0	10	64
		60	0	11	82
		54	0	10	58

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
10.	सेवाड़ी	244	0	21	20
		242	0	07	31
		241	0	12	31
		240	0	13	98
		261/3786	0	00	67
		310(स.रास्ता)	0	01	52
		348	0	14	98
		344	0	01	63
		349	0	07	26
		351(सिं.वि.नहर)	0	01	37
		355	0	00	20
		354	0	06	11
		356	0	02	15
		366	0	05	82
		365	0	07	82
		364	0	27	11
		362(स.रास्ता)	0	01	13
		159	0	09	33
		160	0	08	71
		162	0	04	23
		163	0	05	15
		164	0	07	05
		103	0	10	88
		101	0	10	77
		100	0	05	97
		99	0	05	77
		98	0	11	58
		457(स.रास्ता)	0	03	06
		554	0	15	89
		555	0	12	20
		541	0	13	12
		542	0	12	28
		537	0	10	67
		534	0	11	16
		527	0	10	18
		522	0	10	53
		521	0	10	17
		589	0	10	35
		587	0	09	37

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
10. सेवाई (जारी...)		590	0	00	20
		585	0	10	64
		603	0	08	38
		604	0	07	13
		605	0	06	96
		606	0	07	40
		641 (स.रास्ता)	0	02	19
		979	0	12	05
		978	0	09	53
		977	0	11	60
		976	0	11	80
		975	0	01	11
		996	0	16	20
		992	0	00	20
		995	0	06	80
		997	0	11	68
11. पातावा		44	0	15	92
		43	0	13	21
		42	0	12	94
		62 (पी.डब्ल्यू.डी.सड़क)	0	03	60
		63	0	04	99
		73	0	02	00
		74	0	02	58
		72	0	07	37
		71	0	05	54
		76	0	02	52
		77	0	04	88
		78	0	00	20
		79	0	05	71
		80	0	04	26
		81	0	04	86
		84	0	05	94
		127	0	05	67
		126	0	04	25
		125	0	05	44
		124	0	05	52
		88	0	00	20
		89	0	00	25
		91	0	00	20

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हैक्टर	एयर	वर्ग मीटर
11. पातावा (जारी...)		92	0	00	20
		94	0	00	95
		123	0	03	75
		122	0	02	05
		95	0	01	39
		97	0	02	31
		106	0	02	57
		104	0	00	94
		98	0	02	19
		103	0	06	35
		101	0	08	65
		112	0	44	72
12. बारवा		536(ग्रा.पं.)	0	28	08
		537(स.रास्ता)	0	02	19
		544(ग्रा.पं.)	0	29	29
		546	0	19	28
		550(स.भूमि)	0	03	97
		548	0	01	04
		549	0	24	87
		577	0	01	01
		580(ग्रा.पं.)	0	06	94
		535(पी.डब्ल्यू.डी.सड़क)	0	02	53
		534(ग्रा.पं.)	0	05	17
		528	0	14	87
		527	0	02	85
		530	0	00	20
		526	0	03	08
		531	0	00	93
		532	0	05	08
		631(स.रास्ता)	0	01	12
		634	0	36	01
		635	0	15	00
		638	0	20	73
		1180	0	11	52
		1182	0	02	53
		1181	0	00	20
		1183	0	00	20
		1184	0	16	39
		1185	0	00	82

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
12.	बारवा (जारी...)	1186	0	12	92
		1178(स.रास्ता)	0	02	34
		1114	0	10	68
		1113	0	00	73
		1115	0	11	54
		1116	0	00	32
		1134	0	22	38
		1142	0	01	97
		1143	0	12	80
		1144	0	00	80
		1145	0	09	85
		1146	0	05	54
		1093(स.रास्ता)	0	01	11
		1062	0	00	30
		1068	0	13	28
		1063	0	13	78
		1067	0	01	76
		1066	0	17	81
		1058	0	05	85
		1057(स.रास्ता)	0	01	16
		869	0	12	77
		872	0	00	20
		870	0	16	85
		881	0	00	20
		882(स.रास्ता)	0	03	06
		884	0	11	67
		883	0	04	36
		885	0	10	80
		889	0	08	74
		890	0	12	89
		893	0	22	16
		894	0	07	27
		895	0	15	00
		896	0	09	17
13	मुणावा	291	0	00	40
		305(स.रास्ता)	0	01	94
		297	0	15	77
		264	0	17	11
		263	0	03	83

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
13.	लुणावा (जारी...)	262	0	02	32
		258	0	00	95
		259	0	02	98
		261	0	01	78
		260	0	02	88
		245(स.रास्ता)	0	02	23
		244	0	01	42
		369(स.नदी)	0	45	36
		370	0	08	24
		371(पी.डब्ल्यू.डी.सड़क)	0	03	08
		434	0	03	09
		438	0	02	58
		436	0	10	66
		435(स.रास्ता)	0	02	74
		460	0	03	95
		463	0	03	63
		464	0	04	24
		467	0	03	30
		468	0	06	39
		470	0	03	60
		471	0	10	13
		474	0	09	71
		476	0	09	54
		475	0	00	20
		479	0	06	32
		535	0	02	27
		525	0	16	13
		526	0	03	80
		527	0	01	73
		521	0	07	10
		499	0	11	56
		500	0	03	38
		501	0	12	84
		502	0	02	49
14.	सेहली	1005	0	25	20
		952	0	10	50
		951	0	03	63
		943(स.वाला)	0	05	78
		938	0	70	93

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
14.	सेसली (जारी...)	866	0	00	90
		869	0	05	26
		870(स.नाला)	0	08	62
15.	पुनाडिया	579(स.भूमि)	0	03	79
		580(स.भूमि)	0	01	85
		581	0	18	92
		582	0	12	37
		598	0	11	28
		597	0	14	17
		596	0	02	33
		610(स.रास्ता)	0	01	24
		611	0	02	37
		613(स.वाली)	0	08	20
		617	0	11	88
		616	0	11	26
		650	0	06	29
		649	0	10	85
		648	0	10	92
		646	0	11	39
		642	0	00	53
		639	0	09	16
		640	0	08	76
		636	0	01	80
		633(स.वाली)	0	01	90
		459	0	01	74
		451	0	42	49
		450/669	0	12	24
16.	लालराई	598/1364(स.भूमि)	0	00	33
		598	0	47	73
		593	0	27	36
		579/1358	0	08	63
		579	0	32	44
		546	0	17	45
		545	0	04	22
		547	0	00	20
		543	0	01	38
		542	0	03	21
		544	0	04	16
		541	0	13	91

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
16.	लालराई (जारी...)	540	0	00	20
		487	0	27	07
		499	0	00	20
		490	0	14	94
		491	0	08	52
		483(स.नाला)	0	01	46
		481	0	07	47
		478	0	10	30
		479	0	04	81
		477	0	10	99
		476	0	01	03
		461	0	03	04
		457(स.भूमि)	0	00	84
		462	0	15	61
		451(स.रास्ता)	0	03	96
		447	0	44	44
		417(स.रास्ता)	0	01	96
		36(ग्र.पं.चारागाह)	0	37	35
		395(स.रास्ता)	0	00	76
	सर्वे नं. 395 और 394		0	00	39
	के बीच में				
		394	0	00	85
		392	0	37	26
		37(स.रास्ता)	0	01	07
		62	0	08	02
		73	0	00	70
		71	0	04	71
		72	0	10	52
		74	0	00	20
		198(स.नाला)	0	05	74
		119	0	00	53
		104	0	00	33
		116	0	00	68
		115	0	05	57
		122	0	05	91
		121	0	03	36
		123	0	11	72
		113	0	01	04
		132	0	41	09
		128	0	01	04

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
16.	लालराई (जारी...)	131	0	31	42
		135	0	38	72
		150	0	16	05
		151	0	00	20
		147	0	06	20
		152	0	08	30
		146	0	00	20
		154	0	05	04
		155	0	11	16
		156(स.वाला)	0	10	08
17.	डूंगली	168(स.नदी)	0	03	26
		166	0	00	20
		167	0	07	28
		173	0	15	99
		172	0	23	42
		180	0	12	66
		184	0	12	98
		224(स.रास्ता)	0	00	91
		240	0	01	80
		241	0	09	16
		257	0	03	60
		242	0	00	43
		256	0	09	64
		258	0	00	20
		255	0	02	21
		261	0	25	21
		264	0	24	60
		263	0	00	20
		265	0	15	39
		266(स.रास्ता)	0	03	17
		270	0	33	48
		272	0	01	13
		282	0	05	94
		281	0	29	21
		278	0	34	45
18.	मुंडारा	1245	0	00	20
		1246(स.रास्ता)	0	00	64
		1248	0	34	02
		1255(पी.डब्ल्यू.डी.सड़के)	0	08	68
		1256	0	03	08
		1279(स.रास्ता)	0	02	09
		1280	0	45	78
		1318	0	29	89
		1316	0	03	75

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
18.	मुंडारा (जारी...)	1317	0	00	20
		1302	0	41	37
		1307	0	01	07
		1306/1808	0	00	91
		1303	0	16	39
		1304	0	18	50
		1473(स.भूमि)	0	01	98
		1385	0	30	42
		1386	0	10	10
		1471(स.रास्ता)	0	05	77
		1486	0	00	24
		1487	0	15	20
		1488	0	12	32
		1489	0	06	53
		1499	0	00	52
		1498	0	04	26
		1497	0	05	38
		1491	0	16	93
		1492	0	01	80
		1553(स.रास्ता)	0	02	22
		1559	0	11	19
		1560	0	10	98
		1561	0	19	31
		1562	0	17	25
		1563	0	01	75
		1687(पी.डब्ल्यू.डी.सड़क)	0	06	19
		920	0	14	78
		919	0	01	08
		सर्वे नं. 920 और			
		910/1832 के बीच में	0	04	06
		910/1832(स.भूमि)	0	02	07
		910	0	20	14
		909	0	17	40
		908	0	19	04
		906		15	32
		901	0	21	53
		902(स.रास्ता)	0	00	66
		904	0	11	87
		786(स.रास्ता)	0	09	22
		713	0	08	32

तहसील : बाली		जिला : पाली	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
18.	मुझरा (जारी...)	717	0	39	03
		718	0	22	35
		730	0	26	41
		723	0	26	22
		738(स.रास्ता)	0	00	73
		743	0	12	23
		744/1844	0	11	55
		722(स.रास्ता)	0	04	24
		744	0	01	02
		656	0	59	97
		655/1848	0	01	00
		649	0	20	02
		650	0	15	12
		651	0	09	43
		647	0	07	64

[फा. सं. आर-31015/45/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 24th June, 2005

S. O. 2320.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2978 dated the 11th November, 2004, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th November, 2004, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi by M/s Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 27th December, 2005;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in M/s Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

SCHEDULE

Tehsil : BALI		District : PALI		State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Hectare	Area		
1	2	3	4	5	6	
1.	AMLIA	3	0	13	32	
		6(G/L Cart Track)	0	04	94	
		91	0	04	50	
		90	0	29	19	
		9	0	12	34	
		8	0	00	48	
		10	0	00	20	
		16	0	01	00	
		11	0	02	00	
		22	0	06	54	
		23	0	06	12	
		24	0	12	75	
		25	0	11	15	
		26	0	12	24	
		27	0	24	77	
		33	0	46	09	
		34	0	08	69	
		35	0	19	51	
		36	0	14	66	
		36/461	0	04	97	
		37	0	09	83	
		39	0	41	40	
		40	0	04	40	
2.	NANA	916(G/L River)	0	25	55	
		917(P.W.D Road)	0	07	25	
		918(G/L)	0	72	75	
		918/4250	0	62	92	
		920(G/L)	0	17	36	
		925(G/L Nala)	0	01	14	
		922	0	97	42	
		921(G/L Mar)	0	17	21	
		1166	0	17	33	
		1161	0	26	25	
		1160(G/L Nala)	0	04	24	
		1154	0	14	51	
		1155(G/L Abadi)	0	00	44	
		1153	0	13	56	

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
2.	NANA (Contd....)	1150	0	29	52
		1147(G/L)	0	20	47
		1145	0	26	94
		1142(G/L Nala)	0	02	24
		1139	0	20	42
		1140(G/L Cart Track)	0	03	50
		2096	0	20	56
		2099	0	03	51
		2103	0	17	88
		2102	0	00	20
		2115(G/L Nala)	0	01	50
		2186	0	05	48
		2185(G/L)	0	01	41
		2184(G/L)	0	05	55
		2183(G/L)	0	17	43
		2182(G/L)	0	01	93
		2181(G/L Cart Track)	0	10	36
		2154	0	00	20
		2193(G/L Magra)	0	00	20
		2196(G/L Magra)	0	00	20
		2166	0	06	21
		2165	0	00	20
		2167	0	06	81
		2168	0	05	68
		2169	0	05	76
		2170	0	01	02
		2197(G/L Magra)	0	00	20
		2198	0	00	56
		2199(G/L Magra)	0	01	49
		2200	0	02	67
		2201(G/L Magra)	0	05	81
		2204/4161(G/L)	0	00	20
		2202(G/L)	0	12	43
		2203	0	09	59
		2418(P.W.D Road)	0	04	39
		2424(G/L Magri)	0	07	20
		2420/2	0	06	96
		2420/3	0	07	56
		2420Min	0	16	56

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
2.	NANA (Contd...)	2419(G/L Cart Track)	0	12	43
		2417(G/L Magri)	0	13	92
		2416(G/L Cart Track)	0	02	52
		2415(Forest Deptt.)	0	80	56
		2477(Forest Deptt.)	0	81	86
3.	KAGDARA	362(G/L Mines)	0	00	20
		360	0	47	33
		359	0	02	15
		354(G/L Naia)	0	07	04
		353	0	21	68
		349	0	40	92
		350	0	00	20
		343	0	05	41
		342	0	10	16
		339	0	04	40
		19(G/L Cart Track)	0	02	91
		18	0	05	70
		12(G/L)	0	02	32
		13	0	12	38
		8	0	10	68
		7	0	06	47
		5	0	08	49
		4(G/L)	0	07	82
		22(G/L River)	0	26	96
		72	0	09	69
		71	0	09	41
		76	0	00	30
		77	0	00	20
		79	0	00	20
		68	0	28	13
		64(G/L)	0	08	36
		66	0	02	14
		67	0	00	60
		63	0	02	60
		65	0	03	46
		58	0	06	62
		85	0	00	50
		60	0	01	65
		57	0	10	38

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
3.	KAGDARA (Contd...)	54(G/L Cart Track)	0	02	93
		33	0	04	92
		32	0	02	32
		31	0	10	69
		29	0	11	55
		25	0	07	49
		24	0	25	07
		41(G/L Cart Track)	0	01	10
4.	BHANDAR	3459(G/L Bhakhar)	0	01	95
		3461(G/L)	0	19	98
		3462(G/L Nala)	0	01	65
		3463(G/L)	0	32	06
		3473(G/L)	0	07	66
		3472(G/L Cart Track)	0	00	74
		3471(G/L)	0	14	33
		3470/4794(G/L)	0	30	47
		3512(G/L Cart Track)	0	07	38
		4038	0	06	18
		4035(G/L Bhakhar)	0	08	16
		4003((G/L Nala)	0	01	41
		4001	0	10	26
		4002(G/L Cart Track)	0	02	16
		3988	0	07	09
		3987	0	00	26
		3990	0	11	40
		3986(G/L)	0	03	07
		3983	0	13	94
		3984	0	01	33
		3982	0	06	03
		3980	0	03	80
		3981	0	05	73
		3977	0	03	70
		3976	0	07	11
		3973	0	22	33
		3961	0	05	36
		3960	0	12	19
		3960/4756	0	06	84
		3932	0	01	86
		3910	0	00	66

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
4. BHANDAR (Contd...)		3911	0	25	43
		3907	0	26	81
		3898	0	14	31
		3899	0	06	52
		3895	0	13	95
		3894	0	02	37
		3891	0	05	64
		3892	0	15	37
		3890	0	06	54
		3889	0	09	49
		3855(G/L Cart Track)	0	02	80
		3854	0	19	62
		3912	0	01	50
		3913	0	00	58
		3914	0	00	20
		3853	0	05	45
		3840(G/L Nala)	0	12	53
		4268	0	05	71
		4270(G/L Cart Track)	0	01	61
		4271(G/L)	0	22	75
		4272	0	19	04
		3834	0	09	24
		3829(G/L Nala)	0	12	42
		3819	0	21	00
		3816	0	00	51
		3817	0	11	71
		3818	0	12	99
		3801(G/L Cart Track)	0	03	36
		3796	0	22	40
		3794	0	06	71
5. SENDALA		669	0	03	60
		666	0	11	98
		665	0	07	74
		662	0	00	20
		661	0	01	40
		660	0	07	88
		659	0	04	57
		658	0	26	98
	657(G/L)	0	49	08	

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
5.	SENDALA (Contd...)	673(G/L Cart Track)	0	19	29
		695(G/L)	0	01	95
		693	0	20	18
		686	0	21	94
		684	0	04	08
		683	0	00	63
		582(G/L River)	0	19	42
		580	0	02	05
		579	0	03	36
		578	0	00	20
		555	0	12	41
		556	0	05	88
		557	0	06	27
		558	0	06	30
		559	0	13	16
		562	0	08	93
		560	0	03	48
		561	0	00	90
		304(G/L Cart Track)	0	03	08
		471	0	13	26
		472	0	07	40
		469	0	05	85
		473	0	05	92
		468	0	13	61
		467	0	11	59
		464	0	07	66
		459	0	05	97
		458	0	02	05
		454	0	08	42
		455	0	05	68
		438	0	03	68
		445(G/L)	0	11	76
		439	0	02	16
		444	0	03	48
		401(G/L)	0	92	40
		491	0	01	12
6.	BERA	2174(G/L Pahad)	0	93	60
		2177	0	18	00
		2178(G/L)	0	11	18

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
6	BERA (Contd...)	2176	0	00	36
		2285(G/L Magra)	0	77	20
		2300(G/L Bhakhar)	0	15	68
		2299	0	16	46
		2298	0	12	75
		2320	0	09	69
		2322	0	13	75
		2279(G/L Cart Track)	0	01	98
		2336	0	18	82
		2340	0	02	88
		2341	0	05	88
		2343	0	00	20
		2344	0	00	20
		2346(G/L Nala)	0	01	87
		2347	0	04	01
		2350	0	05	08
		2351	0	04	57
		2354	0	04	19
		2357	0	01	55
		2356	0	02	98
		2358	0	01	97
		2359	0	01	77
		2363	0	02	88
		2364	0	01	26
		2365	0	00	20
		2368	0	03	01
		2367	0	08	63
		2394(G/L Nala)	0	01	72
		2398	0	03	38
		2397	0	05	23
		2405	0	09	54
		2406(G/L Road)	0	07	02
		2420	0	05	93
		2421	0	05	84
		2422	0	04	79
		2423	0	04	19
		2426	0	04	09
		2484/4971	0	15	81
		2433	0	00	38

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
6. BERA (Contd...)		2434(G/L)	0	00	87
		2435	0	00	20
		2484(G/L Nala)	0	14	32
		2630	0	01	65
		2613	0	12	38
		2614	0	11	88
		2616	0	08	72
		2624	0	14	27
		2620	0	14	12
		2590(G/L Cart Track)	0	01	66
		2801	0	11	10
		2802	0	03	62
		2803	0	09	73
		2777/1(G/L)	0	14	80
		2777/4	0	06	48
		2834	0	10	76
		2835	0	01	24
		2838(G/L Cart Track)	0	02	03
		2864	0	13	37
		2860	0	00	20
		2863	0	13	05
		2861	0	05	17
		2862	0	12	55
		2934(G/L Cart Track)	0	02	09
		3015	0	18	75
		3016	0	09	56
		3010	0	06	52
		3021	0	15	60
		3022	0	06	93
		3001	0	00	20
		3000	0	01	18
		3023	0	06	15
		2999	0	01	83
		2998	0	13	51
		2997	0	14	27
		3033	0	13	78
		3034(G/L Nala)	0	05	51
		3205(G/L)	0	02	26
		3204(G/L)	0	00	70

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
6.	BERA (Contd...)	3203(G/L Cart Track)	0	02	39
		3201	0	24	21
		3202/4966	0	11	22
		3202	0	49	89
		3419	0	17	45
		3418	0	00	23
		3443	0	28	78
		3444	0	03	41
		3442	0	04	47
		3433	0	00	25
		3434	0	08	68
		3441	0	00	64
		3435	0	07	15
		3436	0	04	99
		3438	0	00	20
		3437	0	06	96
		3472(G/L Cart Track)	0	02	77
		3521	0	18	13
		3520	0	01	60
		3519	0	19	19
		3518	0	05	72
		3517	0	10	95
		3510	0	07	07
		3508	0	15	22
		3507	0	15	01
		3501	0	16	76
		3499(G/L Cart Track)	0	08	60
		3498/4810	0	05	63
		3861(G/L Cart Track)	0	06	18
		3862(G/L)	0	04	41
		3865	0	05	97
		3866	0	17	75
		3871	0	09	00
		3874	0	08	69
		3878	0	09	64
		3883	0	08	11
		3882	0	08	66
		3892	0	15	32
		3893	0	23	11

Tehsil : BALI		District : PALI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
6. BERA (Contd...)		3964	0	14	31	
		3957	0	14	74	
		3956	0	11	62	
		3952	0	13	27	
		3950	0	08	27	
		3949	0	09	54	
		3937(G/L Cart Track)	0	05	18	
		3939	0	32	42	
		3931(G/L Cart Track)	0	03	57	
		3930/4814(G/L)	0	19	48	
		3929	0	15	48	
		3940(G/L Nala)	0	00	30	
	7. BHATUND		2486	0	62	64
			2490	0	23	14
		2491	0	21	96	
		2337	0	04	62	
		2339	0	07	93	
		2340	0	09	55	
		2341	0	06	17	
		2342	0	07	01	
		2351	0	11	43	
		2354	0	07	47	
		2362	0	06	73	
		2360	0	01	38	
		2361	0	13	97	
		2359	0	02	55	
		2365	0	06	55	
		2369	0	20	82	
		2228	0	00	20	
		2370	0	04	19	
		2227	0	02	00	
		2371	0	05	90	
		2372	0	03	91	
		2373	0	10	23	
		2205	0	13	35	
		2213	0	01	96	
		2206	0	08	21	
		2207	0	00	20	
		2204	0	06	30	

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
7. BHATUND (Contd...)		2203	0	10	51
		2199	0	07	65
		2200	0	09	36
		2201	0	04	37
		2191	0	08	00
		2291(G/L Cart Track)	0	07	30
		2190	0	00	32
		2172(G/L Cart Track)	0	00	20
		2143	0	44	56
		2157	0	11	63
		2158	0	06	47
		2034(G/L Cart Track)	0	02	10
		2021	0	25	31
		2020(G/L)	0	10	49
		2022	0	00	20
		2019	0	14	40
		1939	0	03	60
		1793(G/L Nala)	0	02	30
		1785(G/L)	0	25	44
		1792	0	01	60
		1787	0	01	50
		1789	0	00	20
		1786(G/L Nadi)	0	14	40
		1784(G/L Nadi)	0	02	37
		1777	0	28	44
		1732(G/L Cart Track)	0	02	16
		1778(G/L River)	0	25	20
		1389	0	10	48
		1390	0	17	77
		1391	0	05	27
		1396	0	10	56
		1395	0	07	61
		1397(G/L Cart Track)	0	01	80
		1398	0	07	88
		1412	0	15	19
		1411	0	09	46
		1409	0	03	84
		1426	0	01	36
		1427	0	08	28

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
7. BHATUND (Contd...)		1429	0	08	92
		1438	0	05	22
		1432	0	05	62
		1433	0	05	08
		1370(G/L Cart Track)	0	01	41
		1344	0	07	94
		1343	0	00	25
		1345	0	08	03
		1346	0	00	35
		1347	0	01	38
		1351(G/L Cart Track)	0	02	29
		1352	0	13	05
		1210(P.W.D Road)	0	03	12
		1150	0	15	48
		1149	0	09	12
		1148	0	11	16
		1147	0	05	22
		1146	0	05	06
		1145	0	04	96
		1144	0	05	40
		1143	0	04	73
		1140	0	24	74
		1139	0	00	20
		1141	0	00	20
		1172	0	13	21
		1171	0	03	93
		1198	0	11	99
		1199	0	05	33
		1194	0	09	34
		1190(G/L Nala)	0	08	41
		1191	0	13	14
8. BEEJAPUR		201	0	06	14
		200(G/L Cart Track)	0	02	33
		178	0	02	31
		196	0	00	25
		180	0	13	51
		181	0	16	52
		188	0	13	30
		187	0	08	69
		186	0	15	97

Tehsil : BALI		District : PALI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq mtr.	
1	2	3	4	5	6	
8. BEEJAPUR (Contd...)		248	0	18	84	
		243	0	16	38	
		244	0	00	20	
		261(G/L Cart Track)	0	05	59	
		275	0	10	26	
		277(G/L)	0	03	83	
		274	0	11	52	
		278	0	01	98	
		295(G/L Cart Track)	0	01	14	
		305	0	10	44	
		307	0	16	24	
		308	0	18	11	
		309	0	00	42	
		336(G/L Cart Track)	0	00	57	
		364/2920(G/L)	}	0	21	96
		364/2820				
		364	0	31	88	
		363	0	06	04	
		359	0	15	46	
		360	0	00	40	
		1026(G/L Cart Track)	0	04	87	
		1009	0	11	31	
		1006	0	28	07	
		1003	0	00	20	
		1005	0	12	96	
		1004	0	19	77	
		718(G/L Nala)	0	08	82	
		715(G/L)	0	21	51	
		714	0	30	87	
		719(G/L)	0	13	11	
		786(G/L Nala)	0	00	20	
		720/2933	0	04	93	
		720	0	07	39	
		721	0	06	70	
		728(G/L Cart Track)	0	01	80	
		722	0	06	12	
	723	0	09	20		
	725	0	06	14		
	727	0	00	22		

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
8. BEEJAPUR (Contd...)		726	0	08	08
		733	0	19	08
		732	0	21	26
		731	0	23	33
9. PADARLA		566	0	08	87
		563	0	10	40
		576	0	01	64
		575	0	06	68
		577	0	01	28
		579	0	05	28
		578	0	01	89
		580	0	15	52
		582	0	10	42
		590	0	01	12
		638/817	0	10	16
		591	0	09	87
		636	0	00	91
		635	0	16	56
		634	0	07	21
		633	0	08	84
		595	0	00	20
		632	0	16	70
		629	0	06	99
		630	0	08	99
		626(G/L Cart Track)	0	00	75
		621	0	09	05
		620	0	13	29
		618	0	14	31
		528(G/L Cart Track)	0	09	89
		377	0	24	11
		362(G/L Cart Track)	0	01	26
	71	0	04	63	
	70	0	06	15	
	69	0	07	05	
	81	0	17	69	
	59	0	10	64	
	60	0	11	82	
	54	0	10	58	

Tehsil : BALI		District : PALI		State : RAJASTHAN	
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
10. SEWARI		244	0	21	20
		242	0	07	31
		241	0	12	31
		240	0	13	98
		261/3786	0	00	67
		310(G/L Cart Track)	0	01	52
		348	0	14	98
		344	0	01	63
		349	0	07	26
		351(Irrig Deptt. Canal)	0	01	37
		355	0	00	20
		354	0	06	11
		356	0	02	15
		366	0	05	82
		365	0	07	82
		364	0	27	11
		362(G/L Cart Track)	0	01	13
		159	0	09	33
		160	0	08	71
		162	0	04	23
		163	0	05	15
		164	0	07	05
		103	0	10	88
		101	0	10	77
		100	0	05	97
		99	0	05	77
		98	0	11	58
		457(G/L Cart Track)	0	03	06
		554	0	15	89
		555	0	12	20
		541	0	13	12
		542	0	12	28
		537	0	10	67
		534	0	11	16
		527	0	10	18
		522	0	10	53
	521	0	10	17	
	589	0	10	35	
	587	0	09	37	

Tehsil : BALI		District : PALI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
10. SEWARI (Contd...)		590	0	00	20	
		585	0	10	64	
		603	0	08	38	
		604	0	07	13	
		605	0	06	96	
		606	0	07	40	
		641(G/L Cart Track)	0	02	19	
		979	0	12	05	
		978	0	09	53	
		977	0	11	60	
		976	0	11	80	
		975	0	01	11	
		996	0	16	20	
		992	0	00	20	
		995	0	06	80	
		997	0	11	68	
	11. PATAWA		44	0	15	92
			43	0	13	21
			42	0	12	94
			62(P.W.D Road)	0	03	60
		63	0	04	99	
		73	0	02	00	
		74	0	02	58	
		72	0	07	37	
		71	0	05	54	
		76	0	02	52	
		77	0	04	88	
		78	0	00	20	
		79	0	05	71	
		80	0	04	26	
		81	0	04	86	
		84	0	05	94	
		127	0	05	67	
		126	0	04	25	
		125	0	05	44	
		124	0	05	52	
	88	0	00	20		
	89	0	00	25		
	91	0	00	20		

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
11. PATAWA (Contd...)		92	0	00	20
		94	0	00	95
		123	0	03	75
		122	0	02	05
		95	0	01	39
		97	0	02	31
		106	0	02	57
		104	0	00	94
		98	0	02	19
		103	0	06	35
		101	0	08	65
		112	0	44	72
12. BARWA		536(G/P)	0	28	08
		537(G/L Cart Track)	0	02	19
		544(G/P)	0	29	29
		546	0	19	28
		550(G/L)	0	03	97
		548	0	01	04
		549	0	24	87
		577	0	01	01
		580(G/P)	0	06	94
		535(P.W.D Road)	0	02	53
		534(G/P)	0	05	17
		528	0	14	87
		527	0	02	85
		530	0	00	20
		526	0	03	08
		531	0	00	93
		532	0	05	08
		631(G/L Cart Track)	0	01	12
		634	0	36	01
		635	0	15	00
		638	0	20	73
		1180	0	11	52
		1182	0	02	53
		1181	0	00	20
		1183	0	00	20
		1184	0	16	39
		1185	0	00	82

Tehsil : BALI		District : PALI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
12. BARWA (Contd...)		1186	0	12	92	
		1178(G/L Cart Track)	0	02	34	
		1114	0	10	68	
		1113	0	00	73	
		1115	0	11	54	
		1116	0	00	32	
		1134	0	22	38	
		1142	0	01	97	
		1143	0	12	80	
		1144	0	00	80	
		1145	0	09	85	
		1146	0	05	54	
		1093(G/L Cart Track)	0	01	11	
		1062	0	00	30	
		1068	0	13	28	
		1063	0	13	78	
		1067	0	01	76	
		1066	0	17	81	
		1058	0	05	85	
		1057(G/L Cart Track)	0	01	16	
		869	0	12	77	
		872	0	00	20	
		870	0	16	85	
		881	0	00	20	
		882(G/L Cart Track)	0	03	06	
		884	0	11	67	
		883	0	04	36	
		885	0	10	80	
		889	0	08	74	
		890	0	12	89	
		893	0	22	16	
		894	0	07	27	
		895	0	15	00	
		896	0	09	17	
	13. LUNAWA		291	0	00	40
			305(G/L Cart Track)	0	01	94
			297	0	15	77
			264	0	17	11
			263	0	03	83

Tehsil : BALI		District : PAL	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
13. LUNAWA (Contd...)		262	0	02	32	
		258	0	00	95	
		259	0	02	98	
		261	0	01	73	
		260	0	02	88	
		245(G/L Cart Track)	0	02	23	
		244	0	01	42	
		369(G/L River)	0	45	36	
		370	0	08	24	
		371(P.W.D Road)	0	03	08	
		434	0	03	09	
		438	0	02	58	
		436	0	10	66	
		435(G/L Cart Track)	0	02	74	
		460	0	03	95	
		463	0	03	63	
		464	0	04	24	
		467	0	03	30	
		468	0	06	39	
		470	0	03	60	
		471	0	10	13	
		474	0	09	71	
		476	0	09	54	
		475	0	00	20	
		479	0	06	32	
		535	0	02	27	
		525	0	16	13	
		526	0	03	80	
		527	0	01	73	
		521	0	07	10	
		499	0	11	56	
		500	0	03	38	
		501	0	12	84	
		502	0	02	49	
	14. SESLI		1005	0	25	20
			952	0	10	50
			951	0	03	63
			943(G/L Nala)	0	05	78
			938	0	70	93.

Tehsil : BALI		District : PALI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
1	2	3	Hectare	Are	Sq.mtr.	
4	5	6				
14. SESLI (Contd...)	866	0	00	90		
	869	0	05	26		
	870(G/L Nala)	0	08	62		
15. PUNADIYA	579(G/L)	0	03	79		
	580(G/L)	0	01	85		
	581	0	18	92		
	582	0	12	37		
	598	0	11	28		
	597	0	14	17		
	596	0	02	33		
	610(G/L Cart Track)	0	01	24		
	611	0	02	37		
	613(G/L Nala)	0	08	20		
	617	0	11	88		
	616	0	11	26		
	650	0	06	29		
	649	0	10	85		
	648	0	10	92		
	646	0	11	39		
	642	0	00	53		
	639	0	09	16		
	640	0	08	76		
	636	0	01	80		
	633(G/L Nala)	0	01	90		
	459	0	01	74		
	451	0	42	49		
	450/669	0	12	24		
	16. LALRAI	598/1364(G/L)	0	00	33	
		598	0	47	73	
593		0	27	36		
579/1358		0	08	63		
579		0	32	44		
546		0	17	45		
545		0	04	22		
547		0	00	20		
543		0	01	38		
542		0	03	21		
544		0	04	16		
541		0	13	91		

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
16. LALRAI (Contd...)		540	0	00	20
		487	0	27	07
		499	0	00	20
		490	0	14	94
		491	0	08	52
		483(G/L Nala)	0	01	46
		481	0	07	47
		478	0	10	30
		479	0	04	81
		477	0	10	99
		476	0	01	03
		461	0	03	04
		457(G/L)	0	00	84
		462	0	15	61
		451(G/L Cart Track)	0	03	96
		447	0	44	44
		417(G/L Cart Track)	0	01	96
		36(G/P Pasture)	0	37	35
		395(G/L Cart Track)	0	00	76
		n Bet Svy No 395 & 394	0	00	39
		394	0	00	85
		392	0	37	26
		37(G/L Cart Track)	0	01	07
		62	0	08	02
		73	0	00	70
		71	0	04	71
		72	0	10	52
		74	0	00	20
		198(G/L Nala)	0	05	74
		119	0	00	53
		104	0	00	33
		116	0	00	68
		115	0	05	57
		122	0	05	91
		121	0	03	36
		123	0	11	72
		113	0	01	04
		132	0	41	09
		128	0	01	04

Tehsil : BALI		District : PALI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
16. LALRAI (Contd...)		131	0	31	42	
		135	0	38	72	
		150	0	16	05	
		151	0	00	20	
		147	0	06	20	
		152	0	08	30	
		146	0	00	20	
		154	0	05	04	
		155	0	11	16	
		156(G/L Nala)	0	10	08	
		168(G/L River)	0	03	26	
		166	0	00	20	
		167	0	07	28	
		173	0	15	99	
		172	0	23	42	
17. DUNGALI		180	0	12	66	
		184	0	12	98	
		224(G/L Cart Track)	0	00	91	
		240	0	01	80	
		241	0	09	16	
		257	0	03	60	
		242	0	00	43	
		256	0	09	64	
		258	0	00	20	
		255	0	02	21	
		261	0	25	21	
		264	0	24	60	
		263	0	00	20	
		265	0	15	39	
		266(G/L Cart Track)	0	03	17	
		270	0	33	48	
		272	0	01	13	
		282	0	05	94	
		281	0	29	21	
		278	0	34	45	
	18. MUNDARA		1245	0	00	20
			1246(G/L Cart Track)	0	00	64
			1248	0	34	02
			1255(P.W.D Road)	0	08	68
			1256	0	03	08
		1279(G/L Cart Track)	0	02	09	
		1280	0	45	78	
		1318	0	29	89	
		1316	0	03	75	

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
18. MUNDARA (Contd...)		1317	0	00	20
		1302	0	41	37
		1307	0	01	07
		1306/1808	0	00	91
		1303	0	16	39
		1304	0	18	50
		1473(G/L)	0	01	98
		1385	0	30	42
		1386	0	10	10
		1471(G/L Cart Track)	0	05	77
		1486	0	00	24
		1487	0	15	20
		1488	0	12	32
		1489	0	06	53
		1499	0	00	52
		1498	0	04	26
		1497	0	05	38
		1491	0	16	93
		1492	0	01	80
		1553(G/L Cart Track)	0	02	22
		1559	0	11	19
		1560	0	10	98
		1561	0	19	31
		1562	0	17	25
		1563	0	01	75
		1687(P.W.D Road)	0	06	19
		920	0	14	78
		919	0	01	08
		In Bet Svy No/ 920& 910/1832	0	04	06
		910/1832(G/L)	0	02	07
		910	0	20	14
		909	0	17	40
		908	0	19	04
		906	0	15	32
		901	0	21	53
		902(G/L Cart Track)	0	00	66
		904	0	11	87
		786(G/L Cart Track)	0	09	22

Tehsil : BALI		District : PALI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
18. MUNDARA (Contd...)		713	0	08	32
		717	0	39	03
		718	0	22	35
		730	0	26	41
		723	0	26	22
		738(G/L Cart Track)	0	00	73
		743	0	12	23
		744/1844	0	11	55
		722(G/L Cart Track)	0	04	24
		744	0	01	02
		656	0	59	97
		655/1848	0	01	00
		649	0	20	02
		650	0	15	12
		651	0	09	43
	647	0	07	64	

[No. R-31015/45/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 24 जून, 2005

का. आ. 2321.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 3145 तारीख 3 दिसम्बर, 2004, जो भारत के राजपत्र तारीख 11 दिसम्बर, 2004, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुन्द्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुन्द्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 03 फरवरी, 2005, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर-11 दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अध्याधीन सभी विल्लंगमों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालूका : राधनपुर		जिला : पाटण		राज्य : गुजरात				
क्रम सं.	गाँव का नाम	खसरा सं.	उप-खण्ड सं.	क्षेत्रफल				
				हेक्टेयर	एयर	वर्ग मीटर		
1	2	3	4	5	6	7		
1	चलवाडा	102	1	0	00	20		
		112	1	0	43	92		
		103	2	0	24	93		
		111	पी1	0	17	19		
		111	पी2	0	02	61		
		110	.	0	08	64		
		107	1	0	24	04		
		128	2	0	25	92		
		128	1	0	14	40		
		126	.	0	51	84		
		152	.	0	26	64		
		153	.	0	61	20		
		2	बंधवड	228	2	0	17	97
				218	पी2	0	00	20
				219	1/पी2	0	11	52
228	3			0	00	20		
219	1/पी1			0	18	00		
220	1/1			0	08	00		
219	2			0	00	20		
220	1/2			0	17	00		
221	.			0	21	90		
225	.			0	10	00		
222	.			0	15	69		
224	2			0	31	24		
235	1पी1			0	42	48		
234	पी1	0	33	33				
रास्ता खसरा संख्या 234/पी1और 2अ/पी2 के बीच में				0	02	98		

तालूका : राधनपुर		जिला : पाटण		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप-खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
2	बंधवड(जारी)	2	अ/पी2	0	25	56
		2	ब	0	04	68
		3	1/पी2	0	17	71
		3	4	0	14	76
		3	1/पी1	0	05	90
		7	3पी1	0	15	00
		7	2	0	14	00
		7	1	0	20	00
		25	1पी	0	07	20
		6	.	0	22	50
		77	.	0	07	48
		76	.	0	27	93
		74	1	0	28	80
	रास्ता खसरा संख्या 74/1					
	और 73 के बीच में			0	02	59
		73	.	0	35	71
		64	1	0	43	68
		64	2	0	21	09
		63	.	0	18	86
		62	.	0	13	39
	रास्ता खसरा संख्या 62 और					
	40/पी2 के बीच में			0	06	55
		40	पी2	0	16	20
		41	पी2	0	37	29
		43	पी2	0	10	08
	रास्ता खसरा संख्या 43/पी2					
	और 59/पी2 के बीच में			0	13	68
		59	पी2	0	00	89
		47	पी1	0	00	55
		46		0	40	60
		49	2पी1	0	22	09
		49	1	0	16	38
		49	3	0	12	83
	रास्ता खसरा संख्या 49/3					
	और सुल्तानपुरा ग्राम सीमा के			0	01	44
	बीच में					

तालिका : राधनपुर		जिला : पाटण		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप-खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
3	सुल्तानपुरा	19	1	0	42	07
		20	पी	0	27	50
		21	1	0	22	09
		21	1/1	0	18	89
		13	1	0	08	91
		रास्ता खसरा संख्या 13/1 और 92/1 के बीच में		0	01	08
		92	1	0	31	03
		92	2	0	26	36
		94	पी2	0	28	08
		85	पी1	0	20	32
		85	पी2	0	41	34
		84	2	0	22	80
		57	1+2	0	22	80
		57	3पी2	0	13	54
		57	3पी1	0	09	64
		103	1पी3	0	10	69
		56	.	0	21	02
		104	2	0	01	84
		104	1पी1	0	05	28
		104	1पी2	0	07	84
4	सुबापुरा	105	1	0	16	39
		105	2	0	21	50
		169	1पी1	0	01	90
		170	.	0	11	40
		रास्ता खसरा संख्या 170 और 171/1पी1 के बीच में		0	04	98
		171	1पी1	0	19	24
		171	2/2पी2	0	15	68
		156	2/1	0	08	19
		156	2/2पी2	0	07	48
		156	1	0	07	48
		156	1/2	0	09	97
		148	पी2	0	14	25
		148	पी1	0	19	52
		147	.	0	26	71
		146	3	0	17	82

ताहूका : राधनपुर		जिला : पाटण		राज्य : गुजरात		
क्रम सं.	गौव का नाम	खसरा सं.	उप-खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
4	सुबापुरा(जारी)	140	1	0	25	56
		139	.	0	17	10
		138	.	0	15	58
		115	1	0	17	98
		115	2/2	0	00	55
		115	2/1	0	11	04
		117+118	1/3	0	21	74
		119	3	0	22	45
		94	.	0	21	02
		109	.	0	18	89
		98	2/2पी2	0	13	18
		98	2/1पी1	0	11	08
		101	2	0	26	73

[फा. सं. आर-31015/39/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 24th June, 2005

S. O. 2321.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3145 dated the 3rd December, 2004, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 11th December, 2004, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 3rd February, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR-II dated 25-11-2004.

SCHEDULE

Taluk : RADHANPUR		District : PATAN		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Square Metre
1	2	3	4	5	6	7
1	CHALWADA	102	1	0	00	20
		112	1	0	43	92
		103	2	0	24	93
		111	P1	0	17	19
		111	P2	0	02	61
		110	-	0	08	64
		107	1	0	24	04
		128	2	0	25	92
		128	1	0	14	40
		126	-	0	51	84
		152	-	0	26	64
		153	-	0	61	20
		228	2	0	17	97
		218	P2	0	00	20
		219	1/P2	0	11	52
2	BANDHWAD	228	3	0	00	20
		219	1/P1	0	18	00
		220	1/1	0	08	00
		219	2	0	00	20
		220	1/2	0	17	00
		221	-	0	21	90
		225	-	0	10	00
		222	-	0	15	69
		224	2	0	31	24
		235	1P1	0	42	48
		234	P1	0	33	33
		Cart track In between survey number.234/P1 and 2A/P2		0	02	98
		2	A/P2	0	25	56
		2	B	0	04	68
		3	1/P2	0	17	71
		3	4	0	14	76
		3	1/P1	0	05	90
		7	3P1	0	15	00

Taluk : RADHANPUR		District : PATAN		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Square Metre
1	2	3	4	5	6	7
2	BANDHWAD (Contd...)	7	2	0	14	00
		7	1	0	20	00
		25	1P	0	07	20
		6	-	0	22	50
		77	-	0	07	48
		76	-	0	27	93
		74	1	0	28	80
		Cart track In between Survey number.74/1 and 73		0	02	59
		73	-	0	35	71
		64	1	0	43	68
		64	2	0	21	09
		63	-	0	18	86
		62	-	0	13	39
		Cart track In between Survey number.62 and 40/P2		0	06	55
		40	P2	0	16	20
		41	P2	0	37	29
		43	P2	0	10	08
		Cart track In between Survey number.43/P2 and 59/P2		-	0	13
		59	P2	0	00	89
		47	P1	0	00	55
		46	-	0	40	60
		49	2P1	0	22	09
		49	1	0	16	38
		49	3	0	12	83
		Cart track In between Survey number.49/3 and Village Boundary of Sultanpura		0	01	44
3	SULTANPURA	19	1	0	42	07
		20	P	0	27	50
		21	1	0	22	09
		21	1/1	0	18	89
		13	1	0	08	91

Taluk : RADHANPUR		District : PATAN		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Square Metre
1	2	3	4	5	6	7
3	SULTANPURA (Contd...)	Cart track in between Survey number 13/1 and 92/1		-	0	01 08
		92	1	0	31	03
		92	2	0	26	36
		94	P2	0	28	08
		85	P1	0	20	32
		85	P2	0	41	34
		84	2	0	22	80
		57	1+2	0	22	80
		57	3P2	0	13	54
		57	3P1	0	09	64
		103	1P3	0	10	69
		56	-	0	21	02
		104	2	0	01	84
		104	1P1	0	05	28
		104	1P2	0	07	84
		105	1	0	16	39
		105	2	0	21	52
		169	1P1	0	01	96
		170	-	0	11	40
		Cart track in between Survey number 170 and 171/1P1		-	0	04 98
4	SUBAPURA	171	1P1	0	19	24
		171	2/2P2	0	15	68
		156	2/1	0	08	19
		156	2/2P2	0	07	48
		156	1	0	07	48
		156	1/2	0	09	97
		148	P2	0	14	25
		148	P1	0	19	52
		147	-	0	26	71
		140	3	0	17	82
		140	1	0	25	56
		139	-	0	17	10
		138	-	0	15	58
		115	1	0	17	98
		115	2/2	0	00	55

Taluk : RACHANPUR		District : PATAN		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Square Metre
1	2	3	4	5	6	7
4	SUBAPURA (Contd...)	115	2/1	0	11	04
		117+118	1/3	0	21	74
		119	3	0	22	45
		94	-	0	21	02
		109	-	0	18	89
		98	2/2P2	0	13	18
		98	2/1P1	0	11	08
		101	2	0	26	73

[No. R-31015/39/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 27 जून, 2005

का. आ. 2322.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962का50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधिन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 563 तारीख 17 फरवरी, 2005 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड की संप्रवर्तक कंपनी रिलाएंस इन्डस्ट्रीज लिमिटेड के गोवा में उत्तरी/दक्षिणी अपतट में खोज ब्लाकों और आंध्रप्रदेश राज्य की संरचनाओं से महाराष्ट्र राज्य में पुणे जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 15 अप्रैल 2005 को उपलब्ध करा दी गई थी;
और पाइपलाइन बिछाने के संबंध में जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्ञात कर दिया गया;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में पाइपलाइन बिछाने के संबंध में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी विल्लंगों से मुक्त, गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड में निहित होगा।

अनूसूची

मंडल/तिहसिल/तालुक : शिरूर		जिला : पुणे		राज्य : महाराष्ट्र	
गाँव का नाम	सर्वे नंबर/ब्लॉक नंबर	आर.ओ.यु.अर्जित करने के लिए क्षेत्र			
		हेक्टर	आर	सि-आर	
1	2	3	4	5	
1) इनामगाव	गाव के सीमा के पास की नदी	00	56	03	
	सर्वे नंबर 57/4 में गाडी रास्ता	00	03	00	
	सर्वे नंबर 57/4 में नाला	00	04	20	
	57/4	00	29	77	
	57/2	00	28	26	
	57/1	00	00	38	
	57/3	00	36	70	
	57/6	00	27	47	
	58/2	00,	00	04	
	सर्वे नंबर 58 में गाडी रास्ता	00	01	28	
	41	00	05	40	
	सर्वे नंबर 41 और 61/2 के बीच का रास्ता	00	07	76	
	62/1	00	02	44	
	62/2	00	02	35	
	62/3	00	06	84	
	62/4	00	21	25	
	61/2	00	13	67	
	61/1	00	22	22	
	63/1	00	13	64	
	63/2	00	15	10	
	सर्वे नंबर 63/2 में गाडी रास्ता	00	02	08	
	64	00	15	46	
	65/1	00	06	53	
	65/2	00	21	55	
	66/2अ	00	20	91	
	66/1अ	00	00	16	
	67/1अ	00	29	00	
	67/1ब	00	14	00	
	67/1क	00	12	97	
	68/2	00	26	85	
	68/1	00	10	25	
	68/3ब	00	00	04	
	68/3अ	00	27	56	
	सर्वे नंबर 68/3अ में गाडी रास्ता	00	01	01	
	69/1	00	18	49	
	69/2	00	19	63	
	70/3	00	34	55	

1	2	3	4	5
1) इनामगाव (निरंतर...)	70/2	00	13	91
	347/1अ1	00	00	96
	10	00	55	92
	सर्वे नंबर 10 में रास्ता	00	07	30
	सर्वे नंबर 10 में गाड़ी रास्ता	00	00	26
	458/5	00	30	16
	457/1	00	29	86
	457/4	00	29	46
	457/3	00	00	25
	471/2	00	22	93
	472/2ब	00	11	64
	472/1अ2	00	00	43
	472/2अ	00	05	27
	472/1अ	00	15	86
	473	00	40	90
	सर्वे नंबर 473 और 474 के बीच का रास्ता	00 ,	05	28
	474	00	13	30
	475	00	17	83
	476/1	00	14	90
	476/2	00	15	98
	476/3	00	02	27
	478/2	00	02	46
	478/3	00	57	17
	478/1	00	02	06
	479	00	10	38
	513/2/2	00	00	03
	512	00	23	79
	510	00	16	65
	506	00	24	10
	507	00	08	08
	508	00	12	40
	519/1	00	29	98
	519/2	00	78	01
	520/2	00	02	12
	521/2	00	07	75
	सर्वे नंबर 521/2 के बीच का गाड़ी रास्ता	00	02	17
	522/3	00	18	73
	522/2	00	45	56
	522/4	00	10	83
	523	00	16	12
	524/1	00	49	91
	525/1	00	09	62
	525/3/2	00	22	16
	525/7	00	43	13

1	2	3	4	5
1) इनामगाव (निरंतर...)	525/6अ	00	00	01
2) पिंपळसुटी	76/1अ1	00	08	02
	40/3	00	09	31
	सर्वे नंबर 76/1अ1 और 40/3 के बीच का कॅनल	00	06	25
	40/5	00	13	42
	42/1	00	32	57
	42/3	00	42	26
	76/2/2	00	04	06
	75/1	00	06	92
	75/2अ/1	00	19	75
	75/2ब	00	17	03
	75/2ब/1	00	15	47
	74/1	00	36	83
	74/2	00	23	51
	सर्वे नंबर 74 और 156/1 के बीच का गाड़ी रास्ता	00	00	87
	156/1	00	34	09
	150	00	20	90
	149	00	11	07
	148	00	07	11
	145/1	00	05	71
	144	00	05	08
	143	00	04	14
	142/1	00	02	96
	139/1	00	04	06
	138/अ/1ब	00	00	52
	138/अ/1अ	00	31	75
	176	00	33	55
	सर्वे नंबर 176 और 185/1 के बीच का कॅनल	00	04	33
	185/1	00	30	89
	सर्वे नंबर 185/1 और 185/2 के बीच का रास्ता	00	05	54
	185/2	00	38	96
	188/1	00	07	09
	189	00	15	68
	190	00	16	10
	191	00	11	70
	192/1अ	00	16	46
	192/1ब	00	06	93
	192/2	00	15	67
	251	00	13	85
	250/2	00	16	74
	255	00	14	36
	सर्वे नंबर 258/1 में गाड़ी रास्ता	00	00	98
	258/1	00	21	87

1	2	3	4	5
2) पिंपळसुटी (निरंतर...)	258/2	00	10	21
	259/1	00	13	64
	399	00	09	02
	261/3	00	00	50
	243/2/1	00	07	92
	243/1/2	00	10	00
	261/4	00	06	49
	सर्वे नंबर 261/4 और 242 के बीच का कॅनाल	00	16	18
	242	00	12	42
	241	00	53	55
	240	00	27	71
	238/1	00	05	59
	238/2	00	35	32
	237/4	00	00	77
	237/2	00	02	36
	239	00	12	20
3) शिरसगांव काटा	गाव के सीमा के पास का गाडी रास्ता	00	00	89
	405	00	01	80
	404/2	00	43	94
	404/1	00	27	61
	409	00	32	01
	400/1	00	00	15
	400/1/1फ	00	12	05
	सर्वे नंबर 400/1/1फ और 410 के बीच का नाला	00	02	95
	410	00	05	73
	413/1	00	18	81
	414/ब/1	00	33	47
	414/ब/2	00	04	62
	417	00	01	09
	418	00	00	50
	416	00	14	61
	415	00	15	85
	397	00	44	68
	396/2	00	30	22
	सर्वे नंबर 396/2 और 253/2 के बीच का गाडी रास्ता	00	01	18
	253/2	00	10	11
	253/3	00	04	11
	253/1	00	29	02
	252	00	25	21
	251/2+4	00	22	28
	249/1	00	37	29
	248/1फ	00	37	59
	248/1प्र/1	00	38	37

1	2	3	4	5
3) शिरसांग काटा (निरंतर...)	245/2	00	04	66
	245/1	00	04	77
	244	00	06	76
	241	00	08	00
	242	00	03	02
	240	00	01	75
	269/1	00	05	99
	269/2	00	17	00
	114/1	00	41	99
	115/1	00	19	86
	115/2	00	17	34
	115/3	00	05	42
	119/1	00	00	30
	119/2	00	27	99
	118	00	34	69
	120	00	06	67
	सर्वे नंबर 120 और 121/1 के बीच का मुख्य जिला मार्ग-100	00	04	92
	121/1	00	29	02
	121/2	00	17	71
	122	00	46	03
	123/2/1	00	11	73
	123/2/2	00	08	49
	123/1ब/2/1	00	10	95
	123/1ब/1	00	09	40
	124	00	44	98
	99ब	00	32	63
	99अ	00	06	14
	136	00	05	31
	137/1	00	09	98
	140	00	00	34
	138	00	15	72
	139/1	00	07	62
	139/2	00	13	58
	143	00	20	89
	144/3	00	14	70
	144/1	00	15	40
	144/2	00	15	10
	144/4/1/2	00	20	06
	सर्वे नंबर 144/4/1/2 और 167 के बीच का मार्ग रास्ता-117	00	04	00
	167	00	37	59
	168	00	13	38
	169/1	00	12	11
	70/1अ/1/1/1	00	12	41

1	2	3	4	5
3) शिरसगांव काटा (निरंतर...)	174/1	00	11	91
	175/3	00	12	87
	178/8	00	11	07
	178/7	00	11	07
	178/4	00	05	10
	178/5	00	05	40
	178/3	00	06	00
	178/2	00	05	79
	178/1	00	07	28
	178/6	00	09	01
	178/1अ	00	03	60
	178/9/2	00	03	00
	180	00	12	51
	181	00	06	18
	182	00	11	95
	183	00	10	20
	186/अ/3	00	20	50
	184	00	03	52
	185/1	00	09	30
	185/2/1	00	13	24
	185/2/2	00	28	70
	186/ब/2	00	51	19
	187/1	00	13	85
	187/3	00	35	48
	सर्वे नंबर 187/3 और 544 के बीच का गाड़ी रास्ता	00	10	32
	544	00	93	42
	543	00	23	72
	562	00	33	64
	563/1	00	16	38
	563/2	00	15	47
	563/3	00	05	74
	564	00	62	22
	सर्वे नंबर 564 और 565/2 के बीच का नाला	00	04	22
	565/2	00	26	06
	565/2/1	00	04	20
4) कोठगांव डोहस	13	00	19	02
	12	00	40	29
	11	00	21	73
	10/ड	00	30	80
	10/ब	00	14	45
	10/क	00	11	39
	10/अ	00	19	92
	9/2अ	00	17	57

1	2	3	4	5
4) कोळगाव डोळस (निरंतर...)	9/1	00	18	39
	8	00	01	70
	सर्वे नंबर 9 और 157 बीच का रास्ता	00	21	63
	157/1अ/1	00	35	93
	158	00	21	05
	सर्वे नंबर 158 में नाला	00	03	93
	159/2	00	36	02
	159/1	00	30	91
	160/1ब1	00	58	79
	सर्वे नंबर 160/1ब1 में रास्ता	00	04	79
	161/ब	00	16	11
	सर्वे नंबर 161/ब में नाला	00	07	79
	161/अ	00	32	14
	132/1/1	00	20	73
	132/1/2	00	00	14
	131/1अ/1अ	00	09	60
	131/1अ/1ब	00	08	66
	131/1अ/1क	00	14	32
	सर्वे नंबर 131/1अ/1 क और 95/4 के बीच का नाला	00	12	09
	95/4	00	09	73
	95/2	00	00	01
	101/1/1	00	80	24
	सर्वे नंबर 101/1/1 में ड्रेन	00	01	96
	सर्वे नंबर 101/1/1 में गाडी रास्ता	00	01	35
	101/1/2	00	58	42
	102	00	16	99
	100	01	25	34
	109/1	00	03	11
	110	00	08	87
	111	00	10	66
	99	00	07	40
	112	01	31	27
5) आंधळगाव	336/2	00	43	17
	336/1	00	46	56
	सर्वे नंबर 336 और 338 के बीच का रास्ता	00	05	17
	338	00	93	60
	342	00	37	51
	329	00	00	85
	328	00	14	06
	327	00	18	98
	326/1	00	33	40
	325/2	00	88	86
	324	00	03	50

1	2	3	4	5
5) आंधळगाव (निरंतर...)	सर्वे नंबर 325/2 और 322 के बीच का नाला	00	11	23
	322	00	33	92
6) काकडेवाडी	306	00	64	87
	307	00	23	39
	309	00	66	64
	310/2	00	11	69
	312	00	96	21
	315	00	09	21
	313	00	16	22
	314	00	00	83
	363	01	31	78
	गाव सीमा के पास का रास्ता	00	07	83
	सर्वे नंबर 293 और 300/3 के बीच का गाडी रास्ता	00	01	92
	300/3	00	21	16
	297	00	34	96
	296	00	21	68
	295	00	38	06
	294	00	13	00
	299	00	13	00
	293/1	00	01	16
	सर्वे नंबर 293/2 और 361 के बीच का नाला	00	04	83
	361	00	38	08
	364/1	00	49	63
	सर्वे नंबर 364/1 और 364/2 के बीच का रास्ता	00	02	21
	364/2	00	29	25
7) आलेगांव पागा	गाव सीमा के पास का रास्ता	00	04	44
	568/1अ	00	55	82
	गाव सीमा के पास का गाडी रास्ता	00	02	50
8) न्हावरे	448/3	00	18	90
	448/1	00	42	82
	447	00	75	79
	सर्वे नंबर 447 और 443 के बीच की सरकारी जमीन	00	68	91
	443	00	40	27
	सर्वे नंबर 443 और 649 के बीच का गाडी रास्ता	00	00	71
	649	00	69	17
	648	00	12	41
	647	00	17	20
	646	00	27	12
	645	00	03	14
	644	00	16	26
	643	00	20	00
	सर्वे नंबर 643 और 713 के बीच का रास्ता	00	04	66
	713	00	00	58

1	2	3	4	5
8) ऋवरे (नरंतर...)	710	00	49	45
	709	00	60	13
	708	00	16	75
	सर्वे नंबर 708 और 704 के बीच का रास्ता	00	06	59
	सर्वे नंबर 708 और 704 के बीच का गाडी रास्ता	00	03	88
	704	00	21	79
	705	00	17	56
	706	00	19	68
	707	00	11	84
	699	00	00	08
	सर्वे नंबर 699 और 735 के बीच का गाडी रास्ता	00	04	03
	736	00	08	72
	737	00	76	52
	755	00	38	51
	753/1	01	14	88
	सर्वे नंबर 753 और 777 के बीच का नाला	00	17	77
	777	01	36	95
	सर्वे नंबर 777 और 780 के बीच की सरकारी जमीन	00	40	98
	780/2	00	04	89
	780/3	00	35	01
	780/1	00	56	45
	794/1	00	11	54
	807	00	11	60
	नाला और सर्वे नंबर 870 के बीच की सरकारी जमीन	01	07	74
	सर्वे नंबर 796 के पास का नाला	00	07	36
	795/1/13	00	04	80
	796/2	01	03	30
9) उरळगाव	108	00	47	81
	93	00	95	09
	94/1अ/1	00	02	31
	सर्वे नंबर 94 और 91 के बीच का गाडी रास्ता	00	00	76
	91	00	10	64
	62	00	12	48
	63	00	62	31
	64	00	75	09
	65	00	29	42
	66	00	50	11
	67	00	24	56
	68	00	20	23
	69	00	25	00
	सर्वे नंबर 69 और 45 के बीच का गाडी रास्ता	00	01	35
	45	00	47	85
	सर्वे नंबर 45 और 43 के बीच का गाडी रास्ता	00	03	01

1	2	3	4	5
9) उरळगाव (निरंतर...)	43	00	02	49
	44	00	37	32
	सर्वे नंबर 44 और 177 के बीच का नाला	00	25	37
	177	00	25	44
	178/1	00	17	57
	178/2	00	17	38
	सर्वे नंबर 178 में रास्ता	00	05	57
	179	01	66	41
6	सर्वे नंबर 179 में रास्ता	00	06	26
	220	00	79	76
	210	01	12	01
	211	01	07	24
	237	00	12	03
	215	00	00	53
	216	00	77	58
	214	00	02	27
	सर्वे नंबर 214 और 366 के बीच का गाड़ी रास्ता	00	00	59
	366	00	08	88
	367	01	02	76
	361	00	75	88
	360	00	53	93
	359	00	36	37
	सर्वे नंबर 359 और 464 के बीच का गाड़ी रास्ता	00	01	57
	464	00	04	74
	सर्वे नंबर 464 में नाला	00	08	21
	465	00	09	15
	466	00	12	25
	467	00	07	47
	468	00	11	54
	469	00	13	15
	470	00	25	92
	471	00	05	18
	476	00	22	10
	114/1	00	14	95
	114/2	00	33	15
	113	00	12	84
	112	00	04	47
	111	00	01	74
	सर्वे नंबर 111 और 107 के बीच का गाड़ी रास्ता	00	03	77
	107/1	00	14	28
10) दहिवडी	गाव सीमा के पास का गाड़ी रास्ता	00	01	23
	305	00	28	99
	304	00	15	79

1	2	3	4	5
10) दहिबडी (निरंतर...)	सर्वे नंबर 304 और 306 के बीच का नाला	00	05	71
	306	00	63	66
	सर्वे नंबर 306 में गाड़ी रास्ता	00	01	06
	सर्वे नंबर 315 में गाड़ी रास्ता	00	01	31
	315	00	41	25
	316	00	41	11
	सर्वे नंबर 316 और 333 के बीच का नाला	00	08	51
	333	00	18	36
	346	00	00	77
	345	00	01	69
	344	00	01	29
	343	00	03	35
	342	00	02	08
	341	00	03	29
	336	00	51	29
	337	00	00	91
	437	00	01	00
	गाव सीमा के पास का नाला	00	07	07
11) पारोडी	40	00	21	95
	32	00	26	91
	37	00	19	81
	191	00	30	77
	29	00	34	76
	188	00	28	71
	36	01	15	69
	35	00	47	61
	28	00	03	55
	28	00	01	51
	सर्वे नंबर 36 में नाला	00	12	43
	189/1	00	14	41
	189/2	00	30	13
	34	00	20	36
	सर्वे नंबर 250 में रास्ता	00	01	31
	190	00	30	31
	सर्वे नंबर 250 और 192 के बीच नाला	00	05	21
	सर्वे नंबर 188 और 43 के बीच का रास्ता	00	04	17
	33	00	12	14
	192	00	66	06
	31	00	21	05
	43	00	64	04
	250	00	91	02
	25	00	06	50

1	2	3	4	5
12) शिवतार मण्डली	गाव सीमा के पास का नाला	00	29	27
	73	01	07	78
	72	00	00	21
	54	00	42	70
	53	00	21	80
	सर्वे नंबर 53 और 47 के बीच का रास्ता	00	04	83
	47	00	09	76
	46	00	34	62
	38/1	00	39	19
	सर्वे नंबर 46 और 42 के बीच का नाला	00	10	18
	42	00	36	60
	45	00	13	48
	गाव सीमा के पास का गाड़ी रास्ता	00	00	30
13) टाकली मिया	797	00	98	72
	796	01	24	46
	792/4	00	22	07
	792/3	00	18	68
	789	00	11	47
	791	00	04	29
	790	00	89	46
	सर्वे नंबर 790 में गाड़ी रास्ता	00	01	58
	सर्वे नंबर 790 में गाड़ी रास्ता	00	00	89
	सर्वे नंबर 790 में गाड़ी रास्ता	00	01	20
	सर्वे नंबर 633 और 790 के बीच का गाड़ी रास्ता	00	70	52
	633	00	41	34
	सर्वे नंबर 633 में नाला	00	03	86
	632	00	24	41
	सर्वे नंबर 632 और 621 के बीच का रास्ता	00	04	35
	621	00	18	33
	620	00	07	31
	619	00	06	70
	618	00	07	46
	617	00	09	66
	616/2	00	10	18
	615	00	09	76
	614	00	09	92
	613	00	08	63
	579	00	10	12
	601	00	07	11
	607	00	00	86
	604	00	06	55
	598	00	04	89
	597	00	02	75

1	2	3	4	5
13) टाकली भिमा (निरंतर...)	595	00	10	42
	588	00	02	69
	594	00	05	72
	589	00	15	65
	590	00	02	42
	591	00	03	33
	सर्वे नंबर 591 और 518/1 के बीच का गाड़ी रस्ता	00	00	78
	518/1	00	20	00
	518/2	00	21	15
	517/1	00	20	05
	515/1	00	20	22
	514	00	33	34
	501	00	14	76
	500	00	18	48
	493/2	00	12	15
	492	00	05	01
	491	00	16	90
	469	00	16	07
	467	00	17	47
	466	00	10	09
	465	00	10	43
	464	00	17	95
	463/1	00	06	75
	463/2	00	06	73
	448/2अ	00	16	90
	448/2ब	00	15	11
	448/1	00	50	06
	447	00	02	75
	446	00	04	16
	445	00	06	71
	416 ऐ	00	23	00
	415/1	00	18	24
	415/2	00	19	43
	396/2ब	00	15	73
	396/2अ	00	10	27
	396/1	00	12	89
	393	00	42	91
	सर्वे नंबर 393 में कॅनाल	00	06	69
	392	00	37	46
	391	00	38	91
	390	00	25	37
	सर्वे नंबर 390 में कॅनाल	00	06	02
	389	00	15	26
	388	00	15	58

1	2	3	4	5
14) कासारी	586/1	00	33	22
	585/1	00	97	01
	607	00	21	77
	606	00	16	04
	605	00	04	78
	604	00	51	71
	सर्वे नंबर 604 में कैंसल	00	01	32
	627	00	18	92
	634	00	16	26
	633	00	09	63
	644	00	01	01
	636	00	22	30
	636	00	04	55
	सर्वे नंबर 636 में गाड़ी रास्ता	00	01	51
	641	00	01	99
	642	00	06	66
	643	00	08	80
	686	00	08	59
	684	00	33	42
	687	00	08	62
	688	00	03	09
	689	00	03	17
	685	00	23	94
	631	00	11	84
	692	00	01	00
	683	00	10	82
	1080	00	09	94
	1081	00	07	97
	1082	00	20	93
	1084	00	07	27
	1085	00	09	90
	1102	00	08	34
	सर्वे नंबर 1102 और 1133 के बीच का नक्सा	00	09	79
	1133	00	41	46
	1134	00	08	09
	1135	00	08	79
	1136	00	11	01
	1137/1	00	34	71
	1138/1	00	10	02
	1138/2	00	07	14
	1139	00	14	77
	1140/1	00	09	43
	1140/2	00	32	86

1	2	3	4	5
14) कासारी (निरंतर...)	इंटर 1140 और 1142 के बीच का कॅनल	00	02	09
	1142	00	09	98
	1143	00	08	01
	1144	00	14	09
	1145	00	17	21
	1146	00	17	84
	1197	00	16	42
	1199	00	16	67
	1200/2	00	28	93
	सर्वे नंबर 1200 और 1246 के बीच का इतर जिला मार्ग-67	00	05	80
	1248	00	07	38
	1266	00	22	10
	1267	00	23	50
	1268	00	21	00
	1269	00	19	00
	1270	00	24	50
	1271	00	26	10
	1272	00	18	40
15) तळेगाव दमढेरे	423	00	05	94
	435	00	04	53
	437	00	03	51
	438	00	03	06
	440	00	03	48
	443	00	06	14
	444	00	00	97
	445/1	00	03	22
	446	00	04	01
	449	00	03	00
	452	00	02	90
	454	00	01	09
	455	00	01	52
	456	00	03	25
	457	00	01	13
	458	00	01	47
	461	00	07	45
	459	00	02	84
	460	00	01	24
	463	00	05	27
	472	00	03	78
	475	00	02	58
	477	00	02	67
	476	00	02	70
	479	00	03	07

1	2	3	4	5
15) तळेगाव डमडेर (निरंतर...)	483	00	04	31
	484	00	16	50
	गाव क्षेत्र के पास का रास्ता	00	02	80
	रास्ता और सर्वे नंबर 1804 के बीच की सरकारी जमीन	00	62	34
	1804	01	21	39
	सर्वे नंबर 1804 में कॅनाल	00	05	23
	1802	00	08	63
	सर्वे नंबर 1802 में रास्ता	00	08	11
	सर्वे नंबर 1802 में कॅनाल	00	11	66
	1186	00	15	88
	1184	00	08	00
	1183	00	15	55
	सर्वे नंबर 1183 और 329 के बीच का रास्ता	00	04	77
	329	00	03	96
	330	00	01	81
	331	00	04	16
	334	00	01	43
	335	00	01	17
	336	00	02	28
	337	00	10	33
	338	00	03	95
	339	00	02	99
	342	00	03	26
	343	00	01	98
	344	00	01	38
	345/1	00	02	57
	346	00	01	82
	347	00	07	56
	348	00	03	05
	353	00	02	61
	358	00	00	68
	359	00	00	85
	360	00	00	91
	361	00	00	50
	362	00	00	72
	363	00	00	73
	364	00	01	18
	सर्वे नंबर 364 और 365 के बीच का कॅनाल	00	10	19
	365	00	00	29
	385	00	02	13
	386	00	04	10
	390	00	01	51
	391	00	01	78
	392	00	01	42

1	2	3	4	5
15) तळेगाव दमढेरे (निरंतर...)	395	00	02	14
	399	00	01	67
	398	00	05	95
	सर्वे नंबर 398 और 417 के बीच की सरकारी जमीन	00	07	90
	417	00	05	56
	418	00	05	09
	421	00	09	39
	422	00	05	09
16) शिक्रापुर	1258	00	30	14
	1259	00	35	16
	सर्वे नंबर 1259 और 1260 के बीच का गाड़ी रास्ता	00	07	03
	1260	00	27	21
	1261	00	25	46
	1190/1	00	33	60
	1190/2	00	23	01
	1190/3	00	36	84
	1190/4	00	05	84
	1190/5	00	23	34
	सर्वे नंबर 1190 और 1751 के बीच की नदी	00	20	16
	1751	00	46	75
	1274/1	00	51	28
	1273	00	06	69
	1283	00	02	19
	1309	00	11	75
	1308	00	09	23
	1306	00	18	70
	1784	00	10	54
	1809	00	02	61
	1810	00	03	66
	1811	00	01	31
	1812	00	00	78
	सर्वे नंबर 1812 और 1303 के बीच का नाला	00	13	52
	1303	00	15	53
	1304	00	65	48
	1367	00	29	71
	1366	00	11	51
	1365	00	10	39
	1374	00	10	21
	1376	00	11	48
	1377	00	38	49
	1380/1/1	00	22	16
	1381	00	16	24
	1845	00	06	49

1	2	3	4	5
16) शिक्रापुर (निरंतर...)	1384/1	00	00	53
	सर्वे नंबर 1384 और 1361 के बीच का नाला	00	10	33
	1361	00	01	38
	सर्वे नंबर 1361 और 1572 के बीच का राजमार्ग -55	00	14	23
	1572	00	19	73
	1574/अ	00	00	55
	1573	00	16	14
	1584	00	23	40
	1585	00	11	24
	1586	00	10	92
	1588	00	11	92
	1591	00	11	56
	1593	00	20	89
	1592	00	01	24
	1596	00	14	33
	1595	00	04	29
	1597/3	00	20	56
	1597/2	00	19	80
	सर्वे नंबर 1597 और 1599 के बीच का राजमार्ग -55	00	07	32
	1599/1	00	47	78
	1599/3	00	62	26
	सर्वे नंबर 1599 और 1902 के बीच का गाड़ी रास्ता	00	08	36
	1902/1	00	38	61
	1902/2	00	26	67
	1902/4	00	19	26
	सर्वे नंबर 1902 और 2130 के बीच का नाला	00	10	42
	2130	01	25	16
	सर्वे नंबर 2130 और 1650 के बीच का नाला	00	03	10
	1650	00	07	71
	1651	00	09	33
	1652	00	11	76
	1455	00	26	49
	सर्वे नंबर 1455 और 1658 के बीच की सरकारी जमीन	00	38	25
	सर्वे नंबर 1455 और 1661 के बीच की सरकारी जमीन	00	11	62
	1658	00	02	63
	1661	00	07	00
	1662	00	17	75
	1663	00	09	63
	1666	00	13	39
	1667	00	35	96
	1668	00	35	40
	1669	00	09	66

1	2	3	4	5
16) सिकापुर (निरंतर...)	1670/1	00	24	68
	1671/2	00	25	80
	1671/3	00	24	43
	1672	00	26	65
	1673	00	06	64
	1674	00	16	67
	1677	00	48	03
	1678	00	21	90
	1679	00	19	96
	1680	00	28	12
	1681/1	00	12	07
	1284	00	07	48
	1285/1	00	11	55
	1742	00	12	45
	1293	00	17	51
	1294	00	15	03
	सर्वे नंबर 1294 और 1313 के बीच का राजमार्ग -55	00	09	08
	1313/1अ	00	02	19
	1312	00	05	78
	1311	00	08	65
	1310	00	03	39
17) जातेगाव खुर्द	22/1	00	22	77
	22/2	00	06	21
	25	00	13	01
	26	00	03	12
	27	00	22	59
	28	00	03	49
	29	00	05	21
	30	00	05	21
	32/3	00	02	42
	32/1	00	02	85
	32/2	00	03	31
	सर्वे नंबर 32/2 और 34 के बीच का रास्ता	00	04	55
	34	00	05	11
	35	00	05	84
	36	00	06	16
	37	00	06	49
	39	00	05	52
	41	00	10	82
	42	00	05	67
	44	00	15	66
	45	00	01	75
	46	00	01	14

1	2	3	4	5
17) जातेगाव खुर्द (निरंतर...)	47	00	01	00
	48	00	02	35
	47/1	00	07	75
	49/1	00	07	64
	50	00	05	07
	सर्वे नंबर 50 और 51 के बीच का गाड़ी रास्ता	00	04	68
	51	00	06	16
	52	00	05	20
	53	00	04	36
	54	00	02	87
	55	00	02	80
	57/1	00	03	07
	57/2	00	03	40
	57/3	00	03	41
	58	00	11	27
	60/1	00	08	26
	60/3	00	04	98
	63	00	08	31
	66	00	14	02
	68/2	00	02	72
	68/1	00	02	89
	69	00	06	58
	70	00	06	11
	83	00	07	
	84	00	13	
	86	00	15	
	92/1	00	15	76
	92/4/1	00	28	88
	93/2	00	03	87
	93/1	00	03	87
	94	00	05	18
	95	00	04	24
	96	00	02	61
	102	00	05	38
	107	00	07	22
	110/1अ	00	10	72
	110/2अ	00	11	09
	110/1ब	00	00	02
	110/2ब	00	02	02
	110/4	00	07	09
	110/3	00	04	78
18) करंदी	693	01	25	50
	सर्वे नंबर 693 में है	00	03	50

1	2	3	4	5
18) करंदी (निरंतर...)	692	00	97	74
	694	00	08	84
	सर्वे नंबर 694 और 695 के बीच का रास्ता	00	02	19
	695	00	04	18
	सर्वे नंबर 695 और 691 के बीच का कॅनाल	00	06	24
	691	00	55	97
	690	00	23	24
	689	00	05	00
	685	00	37	77
	684	00	01	00
	776	00	28	84
	सर्वे नंबर 776 में गाड़ी रास्ता	00	00	80
	775	00	20	19
	सर्वे नंबर 775 और 773 के बीच का गांव रास्ता-53	00	12	85
	773	00	61	21
	सर्वे नंबर 73 में कॅनाल	00	05	31
	सर्वे नंबर 73 में गाड़ी रास्ता	00	02	29
	772	00	73	04
	770	00	36	25
	767	00	75	57
	765/1/2	00	04	34
	765/1/1अ	00	26	71
	766	00	15	79
	909	00	15	60
	910	00	12	94
	911	00	29	77
	912	00	19	48
	गाव सीमा के पास का नाला	00	01	21
19) पिंपळे जगताप	915/1	00	37	62
	सर्वे नंबर 915/1 और नाला के बीच का नाला	00	04	59
	सर्वे नंबर 915/1 में नाला	00	05	26
	902	00	11	35
	901	00	03	11
	900	00	03	26
	899	00	02	98
	898	00	03	24
	897/1	00	14	66
	897/2	00	31	54
	सर्वे नंबर 897/2 और 884 के बीच का राजमार्ग -55	00	03	47
	884	01	76	94
	885	00	56	55
	890/1	00	19	84
	सर्वे नंबर 890/1 और 890/2 के बीच का कॅनाल	00	05	66

1	2	3	4	5
19) पिपळे जगताप (निरंतर...)	890/2	00	05	84
	882	00	79	32
	881	00	19	29
	गाव सीमा के पार का रास्ता	00	05	81
20) वाजेवाडी	414	00	48	52
	सर्वे नंबर 418 पे में नाला	00	12	43
	418 पे	00	29	39
	सर्वे नंबर 418 पे और 415 के बीच का नाला	00	04	17
	415	00	39	27
	416	00	70	18
	421	00	22	59
	411	00	26	00
	422	00	38	25
	सर्वे नंबर 411 और 403 के बीच का नाला	00	08	00
	403/1	00	24	84
	399	00	07	90
	400	00	00	40
	398	00	04	19
	397	00	06	33
	396	00	10	09
	393	00	10	15
	389	00	04	13
	388	00	01	53
	387	00	01	51
	386	00	01	58
	385	00	05	49
	384	00	02	70
	383	00	03	05
	381	00	02	53
	380	00	03	92
	377	00	02	58
	376	00	04	28
	375	00	04	31
	374	00	03	06
	373	00	02	68
	372	00	08	76
	369	00	14	57
	368	00	04	53
	364	00	08	96
	363	00	01	00
	361	00	12	47
	357	00	12	33
	358	00	13	27

1	2	3	4	5
20) वाजेवाडी (निरंतर...)	356 और 353 के बीच का गाँव रास्ता	00.	01	82
	353	00	04	50

[फा. सं. एल-14014/48/2004-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 27th June, 2005

S. O. 2322.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S.O. 563 dated ^{17th} February, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas from the exploration blocks in the Northern / Southern Offshore of Goa and structures in Andhra Pradesh of Reliance Industries Limited, the promoter company of Gas Transportation and Infrastructure Company Limited to various consumers of District Pune in the State of Maharashtra by Gas Transportation and Infrastructure Company Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 15th April, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of publication of the declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.

Schedule

Mandal/Thesi/Taluk : Shirur		District : Pune		State : Maharashtra	
Name of Village	Survey No./Sub-Division No.	Area to be acquired for ROU			
		Hectare	Are	C-Are	
1	2	3	4	5	
1) Inamgaon	River at Village Boundary	00	56	03	
	Cart Track near Survey No. 57/4	00	03	00	
	Nala in Survey No. 57/4	00	04	20	
	57/4	00	29	77	
	57/2	00	28	26	
	57/1	00	00	38	
	57/3	00	36	70	
	57/6	00	27	47	
	58/2	00	00	04	
	Cart Track in Survey No. 58	00	01	28	
	41	00	05	40	
	Road between Survey No. 41 and	00	07	76	
	61/2				
	62/1	00	02	44	
	62/2	00	02	35	
	62/3	00	06	84	
	62/4	00	21	25	
	61/2	00	13	67	
	61/1	00	22	22	
	63/1	00	13	64	
	63/2	00	15	10	
	Cart Track in Survey No. 63/2	00	02	08	
	64	00	15	46	
	65/1	00	08	53	
	65/2	00	21	55	
	66/2A	00	20	91	
	66/1A	00	00	16	
	67/1A	00	29	00	
	67/1B	00	14	00	
	67/1C	00	12	97	
	68/2	00	26	85	
	68/1	00	10	25	
	68/3B	00	00	04	
	68/3A	00	27	56	
	Cart Track in Survey No. 68/3A	00	01	01	
	69/1	00	18	49	
	69/2	00	19	63	

1	2	3	4	5
1) Inamgaon (Contd....)	70/3	00	34	55
	70/2	00	13	91
	347/1A1	00	00	96
	10	00	55	92
	Nala in Survey No. 10	00	07	30
	Cart Track in Survey No. 10	00	00	26
	458/5	00	30	16
	457/1	00	29	86
	457/4	00	29	46
	457/3	00	00	25
	471/2	00	22	93
	472/2B	00	11	64
	472/1A2	00	00	43
	472/2A	00	05	27
	472/1A	00	15	86
	473	00	40	90
	Road between Survey No. 473 and 474	00	05	28
	474	00	13	30
	475	00	17	83
	476/1	00	14	90
	476/2	00	15	98
	476/3	00	02	27
	478/2	00	02	46
	478/3	00	57	17
	478/1	00	02	06
	479	00	10	38
	513/2/2	00	00	03
	512	00	23	79
	510	00	16	65
	506	00	24	10
	507	00	08	08
	508	00	12	40
	519/1	00	29	98
	519/2	00	78	01
	520/2	00	02	12
	521/2	00	07	75
	Cart Track in Survey No. 521/2	00	02	17
	522/3	00	18	73
	522/2	00	45	56
	522/4	00	10	83
	523	00	16	12
	524/1	00	49	91
	525/1	00	09	62

1	2	3	4	5
1) Inamgaon (Contd....)	525/3/2	00	22	16
	525/7	00	43	13
	525/6A	00	00	01
2) Pimpalsuti	76/1A1	00	08	02
	40/3	00	09	31
	Canal between Survey No. 76/1A1 and 40/3	00	06	25
	40/5	00	13	42
	42/1	00	32	57
	42/3	00	42	26
	76/2/2	00	04	06
	75/1	00	06	92
	75/2A/1	00	19	75
	75/2B	00	17	03
	75/2B/1	00	15	47
	74/1	00	36	83
	74/2	00	23	51
	Cart Track between Survey No. 74 and 156/1	00	00	87
	156/1	00	34	09
	150	00	20	90
	149	00	11	07
	148	00	07	11
	145/1	00	05	71
	144	00	05	06
	143	00	04	14
	142/1	00	02	96
	139/1	00	04	06
	138/A/1B	00	00	52
	138/A/1A	00	31	75
	176	00	33	55
	Canal between Survey No. 176 and 185/1	00	04	33
	185/1	00	30	89
	Road between Survey No. 185/1 and 185/2	00	05	54
	185/2	00	38	96
	188/1	00	07	09
	189	00	15	68
	190	00	16	10
	191	00	11	70
	192/1A	00	16	46
	192/1B	00	06	93
	192/2	00	15	67
	251	00	13	85

1	2	3	4	5
2) Pimpalsuti (Contd....)	250/2	00	16	74
	255	00	14	36
	Cart Track in Survey No. 258/1	00	00	98
	258/1	00	21	87
	258/2	00	10	21
	259/1	00	13	64
	399	00	09	02
	261/3	00	00	50
	243/2/1	00	07	92
	243/1/2	00	10	00
	261/4	00	06	49
	Canal between Survey No. 261/4 and 242	00	18	18
	242	00	12	42
	241	00	53	55
	240	00	27	71
	238/1	00	05	59
	238/2	00	35	32
	237/4	00	00	77
	237/2	00	02	36
	239	00	12	20
3) Shirasgaon Kata	Cart Track at Village Boundary	00	00	89
	405	00	01	80
	404/2	00	43	94
	404/1	00	27	61
	409	00	32	01
	400/1	00	00	15
	400/1/1f	00	12	05
	Nala between Survey No. 400/1/1F and 410	00	02	95
	410	00	05	73
	413/1	00	18	81
	414/B/1	00	33	47
	414/B/2	00	04	62
	417	00	01	09
	418	00	00	50
	416	00	14	61
	415	00	15	85
	397	00	44	68
	396/2	00	30	22
	Cart Track between Survey No. 396/2 and 253/2	00	01	18
	253/2	00	10	11
	253/3	00	04	11
	253/1	00	29	02

1	2	3	4	5
3) Shirasgaon Kata (Contd....)	252	00	25	21
	251/2+4	00	22	28
	249/1	00	37	29
	248/1B	00	37	59
	248/1A/1	00	38	37
	245/2	00	04	66
	245/1	00	04	77
	244	00	06	76
	241	00	08	00
	242	00	03	62
	240	00	01	75
	269/1	00	05	99
	269/2	00	17	00
	114/1	00	41	99
	115/1	00	19	86
	115/2	00	17	31
	115/3	00	05	42
	119/1	00	00	30
	119/2	00	27	99
	118	00	34	69
	120	00	06	67
	Major District Road-100 between Survey No. 120 and 121/1	00	04	92
	121/1	00	29	02
	121/2	00	17	71
	122	00	46	03
	123/2/1	00	11	73
	123/2/2	00	08	49
	123/1B/2/1	00	10	95
	123/1B/1	00	09	40
	124	00	44	98
	99B	00	32	63
	99A	00	06	14
	136	00	05	31
	137/1	00	09	98
	140	00	00	34
	138	00	15	72
	139/1	00	07	62
	139/2	00	13	58
	143	00	20	89
	144/3	00	14	70
	144/1	00	15	40
	144/2	00	15	10
	144/4/1/2	00	20	06

1	2	3	4	5
3) Shirasgaon Kata (Contd....)	Village Road-117 between Survey No. 144/4/1/2 and 167	00	04	00
	167	00	37	59
	168	00	13	38
	169/1	00	12	11
	170/1A/1/1/1	00	12	41
	174/1	00	11	91
	175/3	00	12	87
	178/8	00	11	07
	178/7	00	11	07
	178/4	00	05	10
	178/5	00	05	40
	178/3	00	06	00
	178/2	00	05	79
	178/1	00	07	26
	178/6	00	09	01
	178/1A	00	03	60
	178/9/2	00	03	00
	180	00	12	51
	181	00	06	16
	182	00	11	95
	183	00	10	20
	186/A/3	00	20	50
	184	00	03	52
	185/1	00	09	30
	185/2/1	00	13	24
	185/2/2	00	28	70
	186/B/2	00	51	19
	187/1	00	13	85
	187/3	00	35	48
	Cart Track between Survey No. 187/3 and 544	00	10	32
	544	00	93	42
	543	00	23	72
	562	00	33	64
	563/1	00	16	36
	563/2	00	15	47
	563/3	00	05	74
	564	00	62	22
	Nala between Survey No. 564 and 565/2	00	04	22
	565/2	00	26	06
	565/2/1	00	04	20
4) Kolagaon Dolas	13	00	19	02
	12	00	40	29

-1	2	3	4	5
4) Kolagaon Dolas (Contd....)	11	00	21	73
	10/D	00	30	80
	10/B	00	14	45
	10/C	00	11	33
	10/A	00	19	92
	9/2A	00	17	57
	9/1	00	18	39
	8	00	01	70
	Road between Survey No. 9 and 157	00	21	63
	157/1A/1	00	35	93
	158	00	21	05
	Nala in Survey No. 158	00	03	93
	159/2	00	36	02
	159/1	00	30	91
	160/1B1	00	58	79
	Road in Survey No. 160/1B1	00	04	79
	161/B	00	16	11
	Nala in Survey No. 161/B	00	07	79
	161/A	00	32	14
	132/1/1	00	20	73
	132/1/2	00	00	14
	131/1A/1A	00	09	60
	131/1A/1B	00	08	66
	131/1A/1C	00	14	32
	Nala between Survey No. 131/1A/1C and 95/4	00	12	09
	95/4	00	09	73
	95/2	00	00	01
	101/1/1	00	80	24
	Drain in Survey No. 101/1/1	00	01	96
	Cart Track in Survey No. 101/1/1	00	01	35
	101/1/2	00	58	42
	102	00	16	99
	100	01	25	34
	109/1	00	03	11
	110	00	08	87
	111	00	10	66
	99	00	07	40
	112	01	31	27
5) Andhalgaon	336/2	00	43	17
	336/1	00	46	56
	Road between Survey No. 336 and 338	00	05	17
	338	00	93	60
	342	00	37	51

1	2	3	4	5
5) Andhalgaon (Contd....)	325	00	00	85
	328	00	14	06
	327	00	18	98
	325/1	00	33	40
	325/2	00	88	86
	324	00	03	50
	Nala between Survey No. 325/2 and 322	00	11	23
	322	00	33	92
6) Kakadewadi	306	00	64	87
	307	00	23	39
	309	00	66	64
	310/2	00	11	69
	312	00	96	21
	315	00	09	21
	313	00	16	22
	314	00	00	83
	363	01	31	78
	Road at Village Boundary	00	07	83
	Cart Track between Survey No. 313 and 300/3	00	01	92
	300/3	00	21	16
	297	00	34	96
	296	00	21	68
	295	00	38	06
	294	00	13	00
	299	00	13	09
	293/1	00	01	16
	Nala between Survey No. 293/2 and 361	00	04	83
	361	00	38	08
	364/1	00	49	63
	Road between Survey No. 364/1 and 364/2	00	02	21
	364/2	00	29	25
7) Aalegaon Paga	Road at Village Boundary	00	04	44
	568/1A	00	55	82
	Cart Track at Village Boundary	00	02	50
8) Nhavare	448/3	00	18	90
	448/1	00	42	82
	447	00	75	79
	Government Land between Survey No. 447 and 443	00	68	91
	443	00	40	27
	Cart Track between Survey No. 443 and 649	00	00	71
	649	00	69	17

1	2	3	4	5
8) Nhavare (Contd....)	648	00	12	41
	647	00	17	20
	646	00	27	12
	645	00	03	14
	644	00	16	28
	643P	00	20	00
	Road between Survey No. 643P and 713	00	04	66
	713	00	00	58
	710	00	49	45
	709	00	60	13
	708	00	16	75
	Road between Survey No. 708 and 704	00	06	59
	Cart Track between Survey No. 708 and 704	00	03	88
	704	00	21	79
	703	00	17	56
	706	00	19	66
	707	00	11	84
	699	00	00	08
	Cart Track between Survey No. 699 and 735	00	04	03
	736	00	08	72
	737	00	76	52
	755	00	38	51
	753/1	01	14	88
	Nala between Survey No. 753 and 777	00	17	77
	777	01	36	95
	Government Land between Survey No. 777 and 780	00	40	96
	780/2	00	04	89
	780/3	00	35	01
	780/1	00	56	45
	794/1	00	11	54
	807	00	11	60
	Government Land between Survey No. 870 and Nala	01	07	74
	Nala near Survey No. 796	00	07	36
	795/1/3	00	04	80
	796/2	01	03	30
9) Uralgaon	108	00	47	61
	93	00	95	09
	94/1A/1	00	02	31
	Cart Track between Survey No. 94 and 91	00	00	76
	91	00	10	64

1	2	3	4	5
9) Uralgaon (Contd....)	62	00	12	48
	63	00	62	31
	64	00	75	09
	65	00	29	42
	66	00	50	11
	67	00	24	56
	68	00	20	23
	69	00	25	00
	Cart Track between Survey No. 69 and 45	00	01	35
	45	00	47	85
	Cart Track between Survey No. 45 and 43	00	03	01
	43	00	02	49
	44	00	37	32
	Nala between Survey No. 44 and 177	00	25	37
	177	00	25	44
	178/1	00	17	57
	178/2	00	17	38
	Road in Survey No. 178	00	05	57
	179	01	66	41
	Road in Survey No. 179	00	06	26
	220	00	79	76
	210	01	12	01
	211	01	07	24
	237	00	12	03
	215	00	00	53
	216	00	77	58
	214	00	02	27
	Cart Track between Survey No. 214 and 366	00	00	59
	366	00	08	88
	367	01	02	76
	361	00	75	88
	360	00	53	93
	359	00	36	37
	Cart Track between Survey No. 359 and 464	00	01	57
	464	00	04	74
	Nala in Survey No. 464	00	08	21
	465	00	09	15
	466	00	12	25
	467	00	07	47
	468	00	11	54
	469	00	13	15
	470	00	25	92

1	2	3	4	5
9) Uraigaon (Contd....)	471	00	05	18
	476	00	22	10
	114/1	00	14	95
	114/2	00	33	15
	113	00	12	84
	112	00	04	47
	111	00	01	74
	Cart Track between Survey No. 111 and 107	00	03	77
	107/1	00	14	28
10) Dahiwadi	Cart Track at Village Boundary	00	01	23
	305	00	28	99
	304	00	15	79
	Nala between Survey No. 304 and 306	00	05	71
	306	00	63	66
	Cart Track in Survey No. 306	00	01	06
	Cart Track in Survey No. 315	00	01	31
	315	00	41	25
	316	00	41	11
	Nala between Survey No. 316 and 333	00	06	51
	333	00	18	36
	346	00	00	77
	345	00	01	69
	344	00	01	29
	343	00	03	35
	342	00	02	08
	341	00	03	29
	336	00	51	29
	337	00	00	91
	437	00	01	00
	Nala at Village Boundary	00	07	07
11) Parodi	40	00	21	95
	32	00	26	91
	37	00	19	81
	191	00	30	77
	29	00	34	76
	188	00	28	71
	36	01	15	69
	35	00	47	62
	28	00	03	55
	26	00	01	51
	Nala in Survey No. 36	00	12	43
	189/1	00	14	41

1	2	3	4	5
11) Parodi (Contd....)	189/2	00	30	13
	34	00	20	36
	Road in Survey No. 250	00	01	31
	190	00	30	31
	Nala between Survey No. 250 and 192	00	05	21
	Road between Survey No. 188 and 43	00	04	17
	33	00	12	14
	192	00	66	00
	31	00	21	05
	43	00	64	04
	250	00	91	02
	25	00	06	50
12) Shiv takrar Mahalungi	Nala at Village Boundary	00	29	27
	73	01	07	78
	72	00	00	21
	54	00	42	70
	53	00	21	80
	Road between Survey No. 53 and 47	00	04	83
	47	00	09	76
	46	00	34	62
	38/1	00	39	19
	Nala between Survey No. 46 and 42	00	10	18
	42	00	36	60
	45	00	13	48
	Cart Track at Village Boundary	00	00	80
13) Takli Bhima	797	00	98	72
	796	01	24	46
	792/4	00	22	07
	792/3	00	18	66
	789	00	11	47
	791	00	04	29
	790	00	89	46
	Cart Track in Survey No. 790	00	01	58
	Cart Track in Survey No. 790	00	00	89
	Cart Track in Survey No. 790	00	01	20
	Government Land between Survey. No. 633 and 790	00	70	52
	633	00	41	34
	Nala in Survey No. 633	00	03	86
	632	00	24	41
	Road between Survey No. 632 and 621	00	04	35
	621	00	18	33

1	2	3	4	5
13) Takli Bhima (Contd....)	620	00	07	31
	619	00	06	70
	618	00	07	46
	617	00	09	66
	616/2	00	10	18
	615	00	09	76
	614	00	09	92
	613	00	08	63
	579P	00	10	12
	601	00	07	11
	607	00	00	86
	604	00	06	55
	598	00	04	89
	597	00	02	75
	595	00	10	42
	588	00	02	69
	594	00	05	72
	589	00	15	65
	590	00	02	42
	591	00	03	33
	Cart Track between Survey No. 591 and 518/1	00	00	78
	518/1	00	20	00
	518/2	00	21	15
	517/1	00	20	05
	515/1	00	20	22
	514	00	33	34
	501	00	14	76
	500	00	18	78
	493/2	00	12	15
	492	00	05	01
	491	00	16	90
	469	00	16	07
	467	00	17	47
	466	00	10	09
	465	00	10	43
	464	00	17	95
	463/1	00	06	75
	463/2	00	06	73
	448/2A	00	16	90
	448/2B	00	15	11
	448/1	00	50	06
	447	00	02	75
	446	00	04	16

1	2	3	4	5
13) Takli Bhima (Contd....)	445	00	06	71
	416P	00	23	00
	415/1	00	18	24
	415/2	00	19	43
	396/2B	00	15	73
	396/2A	00	10	27
	396/1	00	12	89
	393	00	42	91
	Canal in Survey No. 393	00	06	69
	392	00	37	46
	391	00	38	91
	390	00	25	37
	Nala in Survey No. 390	00	06	02
	389	00	15	26
	388	00	15	58
14) Kasari	596/1	00	33	22
	595/1	00	97	03
	607	00	21	77
	606	00	16	04
	605	00	04	78
	604	00	51	71
	Canal in Survey No. 604	00	01	32
	627	00	18	92
	634	00	16	26
	633	00	09	63
	644	00	01	01
	635	00	22	30
	636	00	04	55
	Cart Track in Survey No. 636	00	01	51
	641	00	01	99
	642	00	06	66
	643	00	08	80
	686	00	08	59
	684	00	33	42
	687	00	08	62
	688	00	03	09
	689	00	03	17
	685	00	23	94
	691	00	11	84
	692	00	01	00
	683	00	10	82
	1080	00	09	94
	1081	00	07	97
	1082	00	20	93

1	2	3	4	5
14) Kasari (Contd....)	1084	00	07	27
	1085	00	09	90
	1102	00	08	34
	Nala between Survey No. 1102 and 1133	00	09	79
	1133	00	41	48
	1134	00	08	09
	1135	00	08	79
	1136	00	11	01
	1137/1	00	34	71
	1138/1	00	10	02
	1138/2	00	07	14
	1139	00	14	77
	1140/1	00	09	43
	1140/2	00	32	86
	Canal between Survey No. 1140 and 1142	00	02	09
	1142	00	09	96
	1143	00	08	01
	1144	00	14	09
	1145	00	17	21
	1146	00	17	84
	1197	00	16	42
	1199	00	16	67
	1200/2	00	28	93
	Other District Road-67 between Survey No. 1200 and 1248	00	05	80
	1248	00	07	36
	1266	00	22	10
	1267	00	23	50
	1268	00	21	00
	1269	00	19	00
	1270	00	24	50
	1271	00	26	10
	1272	00	18	40
15) Talegaon Dhamdhare	423	00	05	94
	435	00	04	53
	437	00	03	61
	438	00	03	06
	440	00	03	48
	443	00	06	14
	444	00	00	97
	445/1	00	03	22
	446	00	04	01
	449	00	03	00

1	2	3	4	5
15) Talegaon Dhamdhere (Contd....)	452	00	02	90
	454	00	01	09
	455	00	01	52
	456	00	03	25
	457	00	01	13
	458	00	01	47
	461	00	07	45
	459	00	02	84
	460	00	01	24
	463	00	05	27
	472	00	03	78
	475	00	02	58
	477	00	02	67
	476	00	02	70
	479	00	03	07
	483	00	04	31
	484	00	16	50
	Road at Village Boundary	00	02	80
	Government Land between Road and Survey No. 1804	00	62	34
	1804	01	21	39
	Canal in Survey No. 1804	00	05	23
	1802	00	08	63
	Road in Survey No. 1802	00	08	11
	Nala in Survey No. 1802	00	11	66
	1186	00	15	88
	1184	00	08	00
	1183	00	15	55
	Road between Survey No. 1183 and 329	00	04	77
	329	00	03	96
	330	00	01	81
	331	00	04	16
	334	00	01	43
	335	00	01	17
	336	00	02	28
	337	00	10	33
	338	00	03	95
	339	00	02	99
	342	00	03	26
	343	00	01	98
	344	00	01	38
	345/1	00	02	57
	346	00	01	82
	347	00	07	56

1	2	3	4	5
15) Talegaon Dhamdhare (Contd....)	348	00	03	05
	353	00	02	61
	358	00	00	68
	359	00	00	85
	360	00	00	91
	361	00	00	50
	362	00	00	72
	363	00	00	73
	364	00	01	18
	Canal between Survey No. 364 and	00	10	19
	365			
	365	00	00	29
	385	00	02	13
	386	00	04	10
	390	00	01	51
	391	00	01	78
	392	00	01	42
	395	00	02	14
	398	00	01	67
	398	00	05	95
	Government Land between Survey	00	07	90
	No. 398 and 417			
	417	00	05	56
	418	00	05	09
	421	00	09	39
	422	00	05	09
16) Shikrapur	1258	00	30	14
	1259	00	35	16
	Cart Track between Survey No. 1259	00	07	03
	and 1260			
	1260	00	27	21
	1261	00	25	46
	1190/1	00	33	60
	1190/2	00	23	01
	1190/3	00	36	84
	1190/4	00	05	84
	1190/5	00	23	34
	River between Survey No. 1190 and	00	20	16
	1751			
	1751	00	46	75
	1274/1	00	51	28
	1273	00	06	69
	1283	00	02	19
	1309	00	11	75
	1308	00	09	23

1	2	3	4	5
16) Shikrapur (Contd....)	1306	00	18	70
	1784	00	10	54
	1809	00	02	61
	1810	00	03	66
	1811	00	01	31
	1812	00	00	78
	Nala between Survey No. 1812 and 1303	00	13	52
	1303	00	15	53
	1304	00	65	48
	1367	00	29	71
	1366	00	11	51
	1365	00	10	39
	1374	00	10	21
	1376	00	11	48
	1377	00	38	49
	1380/1/1	00	22	16
	1381	00	16	24
	1845	00	06	49
	1384/1	00	00	53
	Nala between Survey No. 1384 and 1361	00	10	33
	1361	00	01	38
	State Highway-55 between Survey No. 1361 and 1572	00	14	23
	1572	00	19	73
	1574/A	00	00	55
	1573	00	16	14
	1584	00	23	40
	1585	00	11	24
	1586	00	10	92
	1588	00	11	92
	1591	00	11	56
	1593	00	20	89
	1592	00	01	24
	1596	00	14	33
	1595	00	04	29
	1597/3	00	20	56
	1597/2	00	19	80
	State Highway-55 between Survey No. 1597 and 1599	00	07	32
	1599/1	00	47	78
	1599/3	00	62	26
	Cart Track between Survey No. 1599 and 1902	00	08	36
	1902/1	00	38	61

1	2	3	4	5
16) Shikrapur (Contd....)	1902/2	00	26	67
	1902/4	00	19	26
	Nala between Survey No. 1902 and 2130	00	10	42
	2130	01	25	16
	Nala between Survey No. 2130 and 1650	00	03	10
	1650	00	07	71
	1651	00	09	33
	1652	00	11	76
	1455	00	26	49
	Government Land between Survey. No. 1455 and 1658	00	38	25
	Government Land between Survey. No. 1455 and 1661	00	11	62
	1658	00	02	63
	1661	00	07	00
	1662	00	17	75
	1663	00	09	63
	1666	00	13	39
	1667	00	35	96
	1668	00	35	40
	1669	00	09	66
	1670/1	00	24	68
	1671/2	00	25	80
	1671/3	00	24	43
	1672	00	26	65
	1673	00	06	64
	1674	00	16	67
	1677	00	48	03
	1678	00	21	80
	1679	00	19	96
	1680	00	28	12
	1681/1	00	12	07
	1284	00	07	48
	1285/1	00	11	55
	1742	00	12	45
	1293	00	17	51
	1294	00	15	03
	State Highway-55 between Survey No. 1294 and 1313	00	09	08
	1313/1A	00	02	19
	1312	00	05	78
	1311	00	06	65
	1310	00	03	39

1	2	3	4	5
17) Jategaon Khurd	22/1	00	22	77
	22/2	00	06	21
	25	00	13	01
	26	00	03	12
	27	00	22	59
	28	00	03	49
	29	00	05	21
	30	00	05	21
	32/3	00	02	42
	32/1	00	02	85
	32/2	00	03	31
	Road between Survey No. 32/2 and	00	04	55
	34			
	34	00	05	11
	35	00	05	84
	36	00	06	16
	37	00	06	49
	39	00	05	52
	41	00	10	82
	42	00	05	67
	44	00	15	66
	45	00	01	75
	46	00	01	14
	47	00	01	00
	48	00	02	35
	47P	00	07	75
	49/1	00	07	64
	50	00	05	07
	Cart Track between Survey No. 50	00	04	68
	and 51			
	51	00	06	16
	52	00	05	20
	53	00	04	36
	54	00	02	87
	55	00	02	60
	56	00	03	07
	57/2	00	03	40
	57/3	00	03	41
	58	00	11	27
	60/1	00	08	26
	60/3	00	04	98
	63	00	08	31
	66	00	14	02
	68/2	00	02	72
	68/1	00	02	89

1	2	3	4	5
17) Jategaon Khurd (Contd....)	69	00	06	58
	70	00	06	11
	83	00	07	81
	84	00	13	04
	86	00	15	05
	92/1	00	15	76
	92/4/1	00	28	88
	93/2	00	03	87
	93/1	00	03	87
	94	00	05	18
	95	00	04	24
	96	00	02	61
	102	00	05	38
	107	00	07	22
	110/1A	00	10	72
	110/2A	00	11	08
	110/1B	00	00	02
	110/2B	00	02	* 02
	110/4	00	07	09
	110/3	00	04	78
18) Karandi	693	01	25	50
	Drain in Survey. No. 693	00	03	50
	692	00	97	74
	694	00	08	84
	Road between Survey No. 694 and 695	00	02	19
	695	00	04	18
	Canal between Survey No. 695 and 691	00	06	24
	691	00	55	97
	690	00	23	24
	689	00	05	00
	685	00	37	77
	684	00	01	00
	776	00	28	84
	Cart Track in Survey No. 776	00	00	80
	775	00	20	19
	Village Road 53 between Survey No. 775 and 773	00	12	85
	773	00	61	21
	Canal in Survey No. 73	00	05	31
	Cart Track in Survey No. 73	00	02	29
	772	00	73	04
	770	00	36	25
	767	00	75	57

1	2	3	4	5
18) Karandi (Contd....)	765/1/2	00	04	34
	765/1/1A	00	26	71
	766	00	15	79
	909	00	15	66
	910	00	12	94
	911	00	29	77
	912	00	19	48
	Nala at Village Boundary	00	01	21
19) Pimpale Jagtap	915/1	00	37	62
	Nala between Survey No. 915/1 and Nalla	00	04	59
	Nala in Survey No. 915/1	00	05	26
	902	00	11	35
	901	00	03	11
	900	00	03	26
	899	00	02	98
	898	00	03	24
	897/1	00	14	66
	897/2	00	31	54
	State Highway-55 between Survey No. 897/2 and 884	00	03	47
	884	01	76	94
	885	00	56	55
	890/1	00	19	84
	Canal between Survey No. 890/1 and 890/2	00	05	66
	890/2	00	05	64
	882	00	79	32
	881	00	19	29
	Road at Village Boundary	00	05	61
20) Wajewadi	414	00	48	52
	Nala in Survey No. 418P	00	12	43
	418P	00	29	39
	Nala between Survey No. 418P and 415	00	04	17
	415	00	39	27
	416	00	70	18
	421	00	22	59
	411	00	26	00
	422	00	38	25
	Canal between Survey No. 411 and 403	00	08	00
	403/1	00	24	84
	399	00	07	90
	400	00	00	40
	398	00	04	19

1	2	3	4	5
20) Wajewadi (Contd....)	397	00	06	33
	396	00	10	09
	393	00	10	15
	389	00	04	13
	388	00	01	53
	387	00	01	51
	386	00	01	58
	385	00	05	49
	384	00	02	70
	383	00	03	05
	381	00	02	53
	380	00	03	92
	377	00	02	58
	376	00	04	28
	375	00	04	31
	374	00	03	06
	373	00	02	68
	372	00	08	76
	369	00	14	57
	368	00	04	53
	364	00	08	96
	363	00	01	00
	361	00	12	47
	357	00	12	33
	358	00	13	27
	Cart Track between Survey No. 358 and 353	00	01	82
	353	00	04	50

[F. No. L-14014/48/2004-G.P.]

SWAMI SINGH, DIRECTOR

नई दिल्ली, 27 जून, 2005

का. आ. 2323.— केन्द्रीय सरकार ने पेट्रोलियम और खानेज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 478 तारीख 07 फरवरी, 2005, जामनगर - भोपाल और काकीनाडा - हैदराबाद - गोवा पाइपलाइन को आपस में जोड़ने के लिए गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा एक पाइपलाइन बिछाने के प्रयोजन के लिए उक्त अधिसूचना के संलग्न अनुसूची में निर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और, उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 30 मार्च, 2005 को उपलब्ध करा दी गई थी;

और पाइपलाइन बिछाने के संबंध में जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्ञात कर दिया गया;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि में पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है; अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस सड़क से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में पाइपलाइन बिछाने के संबंध में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, गैस ट्रान्सपोर्टेशन एंड इन्फ्रास्ट्रक्चर कंपनी लिमिटेड में निहित होगा।

अनुसूची

तहसील : चोयाँसी	जिल्ला : सुरत	राज्य : गुजरात		
गांव का नाम	सर्वे नंबर / ब्लॉक नं	आर ओ यु अर्जित करने के लिये क्षेत्रफल		
		हेक्टर	आरे	घे.मी.
1	2	3	4	5
1 कच्छी	84	00	01	29
	85	00	21	14
	86	00	02	38
	81	00	22	72
	111	00	10	64
	79	00	06	45
	124	00	07	27
	112	00	24	20
	123	00	32	38
	141	00	21	72
	148	00	15	67
	140	00	05	02
	149	00	08	77
	150	00	01	21
	152	00	04	34
	151	00	49	61
	185	00	19	51
	188	00	00	02
	166	00	17	05
	167	00	12	63
	163	00	04	04
	182	00	10	44
	184	00	17	83
	183	00	04	43
	245	00	21	77
	244	00	17	71
	270	00	31	64
	418	00	11	72
	417	00	02	88
	416	00	22	61
	414	00	24	28
	413	00	29	25
	423	00	11	38
	486	00	18	35
	490	00	32	49
	489	00	00	02
	491	00	10	43
	495	00	09	68
	494	00	24	57
	496	00	13	43
	502	00	22	68
	501	00	02	38
	503	00	17	97
	504	00	23	38
	562	00	17	48
	561	00	16	79
	560	00	18	07
	559	00	20	59
	558	00	19	86
	557	00	19	24
	556	00	19	13
	554	00	05	63
	553	00	38	19
	552	00	19	60

1	2	3	4	5
2	352	00	16	32
	354	00	12	00
	355	00	89	85
	365	00	36	16
	366	00	23	52
	380	00	25	36
	379	00	36	96
	384	00	33	53
	35	00	42	58
	35	00	30	09
	32	00	14	08
	44	00	10	10
	46	00	16	91
3 ककाना	346	00	26	46
	345	00	20	50
	350	00	27	84
	36	00	14	47
	35	00	00	15
	38	00	29	21
	37	00	21	20
	38	00	18	86
	35	00	21	33
	57	00	09	49
	58	00	26	15
	80	00	04	62
	59	00	20	23
	230	00	23	85
	231	00	14	99
	245	00	30	78
	244	00	15	88
	246	00	19	98
	260	00	09	52
	261	00	18	26
	257	00	06	30
4 बोणद	185	00	33	22
	188	00	12	03
	189	00	30	10
	190	00	47	94
	191	00	28	22
	178	00	44	53
	177	00	07	85
	132	00	25	36
	133	00	14	19
	113	00	19	17
	119	00	39	74
	94	00	19	67
	95	00	29	05
	97	00	57	33
5 गोजा	38	00	21	80
	40	00	59	89
	46	00	29	50
	48	00	22	76
	49	00	58	33
	50	00	24	79
	104	00	26	09
	105	00	00	15
	111	00	38	18
	116	00	41	42
	113	00	23	02
	115	00	09	12
	114	00	22	59
6 गोजी	53	00	04	44
	54	00	32	10
	55	00	35	76
	78	00	00	58
	77	00	39	64
	84	00	27	92
	238	00	55	61
	182	00	30	18
	181	00	22	12
	183	00	03	43
	184	00	82	52
	189	00	10	38
	190	00	28	54
	191	00	62	09
	195/अ	00	33	27
7 सबराल	4	00	01	09

तहसील : पनसावा	जिल्ला : सुरत		राज्य : गुजरात		
	सर्वे नंबर / ब्लॉक नं		आर ओ यु अंजित करने के लिये क्षेत्रफल		
			हेक्टर	अरे	घो.मी
1	2		3	4	5
1 नीचेल	247		02	07	80
	246		00	00	01
	232		00	16	91
	230ये		00	14	63
	230		00	22	64
	221		00	06	68
	220		00	02	05
	211		00	37	27
	176		00	08	89
	178ये		00	12	00
	210		00	04	52
	179		00	17	39
	180		00	23	23
	188		00	49	55
	192		00	44	14
	191		00	30	16
	134		00	39	15
	127		00	31	57
	105		00	14	73
	106		00	01	00
	69		00	19	87
	64		00	00	01
	68/1		00	41	70
	80अ		00	37	81
	94/ये1		00	32	48
	93/1		00	81	87
2 अजोली	284		00	36	35
	286		00	12	97
	287		00	54	11
	289		00	00	01
	290		00	39	49
	299		00	26	23
तहसील : कामरेज	जिल्ला : सुरत		राज्य : गुजरात		
	सर्वे नंबर / ब्लॉक नं		आर ओ यु अंजित करने के लिये क्षेत्रफल		
			हेक्टर	अरे	घो.मी
1	2		3	4	5
1 छेदण	78		00	22	12
	78		00	13	73
	75		00	30	20
	72		00	12	34
	74		00	23	34
	73		00	03	70
	71		00	28	68
	64		00	25	01
	65		00	31	91
	63		00	03	97
	57/अ		00	31	24
	55		00	23	64
	51		00	57	70
	52/ये		00	00	50
	38		00	49	13
	37		00	60	92
2 कोसगाडा	234		00	00	01
	228		00	46	91
	226		00	42	41
	225		00	10	91
	224		00	10	24
	260		00	09	57
	281		00	42	92
	263		00	23	89
	265		00	38	35
	266		00	10	69
	371		00	04	73
	370		00	34	50
	363		00	31	74
	352		00	41	29
	353		00	19	85
	353P		00	10	20
	35-		00	00	08
	355		00	11	63

1	2	3	4	5
2. कोलकाता (मिराट)	356	00	14	20
	357	00	32	67
	345/प	00	83	73
	341	00	00	51
	341पे	00	34	85
	342	00	00	18
3. कलकत्ता	88	00	69	48
	87	00	16	91
	110	00	36	20
	85	00	04	96
	86	00	60	95
	44	00	38	75
	45	00	55	56
	46	00	35	20
	47	00	30	25
	48	00	30	50
4. पल्लवरा	89	00	24	47
	90	00	40	14
	81	00	05	02
	92	00	17	44
	93	00	20	68
	96	00	26	68
	102	00	49	45
	106	00	12	73
	104	00	51	24
	105	00	05	41
5. लखनऊ	10	00	02	51
	5	00	19	70
	5/प	02	22	77
	12	00	12	23
	166	00	08	62
6. बल्लभ	59	00	39	87
	58	00	32	85
	57	00	36	78
	54	00	37	60
	53	00	05	53
	52	00	52	46
	50	00	14	56
	49	00	25	81
	48	00	21	88
	47	00	18	46
7. पल्लव	137	00	10	55
	138	00	23	27
	139	00	31	03
	140	00	24	85
	145	00	28	80
	146	00	33	98
	108	00	01	20
	107	00	33	30
	106	00	18	74
	104	00	15	55
	105	00	14	96
	103	00	00	40
	100	00	20	16
	102	00	34	25
	80	00	24	20
	79	00	23	77
	77	00	00	79
	78	00	04	47
	52	00	36	45
	41	00	01	20
	42	00	29	93
	43	00	51	09
	44	00	33	50
	45	00	48	21
	14	00	41	11
	9	00	15	58
8. कलकत्ता	36	00	39	31
	37	00	04	66
	38	00	36	29
	41	00	54	69
	42	00	50	72
	43	00	22	23
	44	00	25	09
	45	00	23	00

1	2	3	4	5
कठोर (निर्गत)	46	00	30	05
	47	00	12	00
	50	00	28	53
	51	00	01	32
	53	00	23	84
	69	00	37	14
	68	00	26	25
9 अक्षांश	557/अ	00	24	24
10 देशांश	305	00	08	81
	304	00	05	40
	303	00	59	38
	300	00	30	01
	294	00	05	14
	298	00	36	14
	297	00	30	24
	278	00	30	44
	285	00	30	38
	281	00	20	89
	260	00	23	90
	276	00	25	59
	259	00	37	44
	260	00	32	28
	264	00	14	37
	263	00	76	48
	242	00	52	29
	243	00	24	24
	205/अ	00	98	81
	207	00	01	54
	208/अ	00	08	13
	211	00	53	78
	212	00	10	71
	215	00	48	71
	214	00	05	66
	199	00	33	81
	200	00	21	12
	198 अ	00	02	20
	198 अ	00	35	21
	197	00	00	40
	171	00	00	40
	190	00	24	80
	189	00	31	68
	188	00	42	38
	183	00	41	48
	182	00	34	31
11 देशांश	11	00	84	52
	13	00	32	35
	18	00	30	76
	20/अ	00	43	03
	27	00	28	87
	26	00	36	37
	38	00	31	87
	39	00	12	59
	45	00	11	56
	46	00	40	56
	47	00	00	40
	53	00	23	39
	54	00	01	64
	58	00	37	64
	55	00	00	42
	66	00	00	46
	72	00	07	29
	67	00	05	65
	71	00	02	05
	70	00	07	86
	80	00	15	28
	85	00	12	64
	84	00	02	94
	82	00	07	96
	95	00	00	95
	119	00	65	50
	118	00	00	40
	116 अ	00	62	48
	111	00	17	18

1	2	3	4	5
मेन्पुर (गिरार)	110	00	54	78
	106	00	44	01
	105	00	05	69
तालिका : ओमपाड	मिल्ला : सुत	राम्य : गुजरात		
गांव का नाम	सर्वे नंबर / ब्लॉक नं	अर ओ हु अमित करने के सिने केमफल		
1	2	डेक्टर	अर	पो-बी
1 कारी	102	00	51	41
	103	00	43	64
	106	00	21	52
	112	00	58	22
	113	00	37	29
	129	00	35	94
	130	00	24	19
	131	00	48	43
	82	01	06	67
	138	00	17	14
	139	00	27	23
	141	00	46	18
	145	00	30	75
	146	00	39	16
	147	00	00	69
	148	00	52	50
	185	00	03	05
	184	00	40	88
	181	00	12	34
	183	00	12	39
	178	00	15	14
	176	00	48	72
	175	00	00	50
	258	00	00	40
	260	01	02	34
	281	00	40	84
	261	00	11	92
	280/4	00	00	40
	270	00	41	36
	278	00	39	95
	277	00	64	87
	276	00	10	31
	286	00	05	65
	288	00	12	53
	289	00	36	39
	290	00	09	63
2 स्यादला	130	00	89	29
	127	00	32	74
	114	00	37	16
	110	00	14	29
	108	00	55	15
	106	00	00	40
	105	00	26	42
	104	00	09	02
	97/अ	00	39	42
	101	00	25	74
	100	00	31	21
	72	00	91	59
	73	00	01	20
3 सिलानु	163	00	29	44
	160	00	42	30
	159	00	24	35
	157	00	51	30
	156	00	08	27
	167	00	16	04
	126	00	57	31
	127	00	54	67
	128	00	00	80
	129/अ	00	32	99
	129/4	00	36	00
	133	00	19	95
	134	00	74	08
4 सोलाव	108	00	07	48
		00	86	65

1	2	3	4	5
कोलकाता (निरंतर)	159/अ	00	16	70
	119	00	30	60
	121	00	23	00
	118	00	01	88
	117	00	67	54
5 अतिरिक्त	198	00	72	85
	197	00	24	86
	194	00	51	52
	241	00	01	75
	246	00	27	75
	247	00	26	67
	248	00	11	34
	249	00	14	68
	250	00	17	30
	251	00	00	64
	252	00	13	83
	253/अ	00	24	71
	253/ब	00	26	73
	290	00	25	21
	296	00	72	61
	315	00	29	53
	312	00	11	75
	313	00	36	71
	336	00	05	27
	314	00	00	40
	335	00	13	23
	334	00	19	92
	387	00	57	32
	393	00	00	40
	394	00	16	60
	395	00	13	02
	396	00	17	64
	397	00	09	85
	409	00	00	40
	399	00	33	98
	408	00	14	57
	407	00	29	65
	403	00	35	18
	404	00	33	67
	355/ब	00	00	40
6 उपरालो	184	00	04	08
	185	00	00	40
	175	00	26	49
	174	00	19	39
	176	00	11	75
	177	00	03	75
	171	00	50	08
	169	00	13	46
	168	00	51	80
	102	00	17	36
	163/ब	00	67	63
	98	00	07	50

[क्र. सं. एल-14014/37/2004-जी.पी.]

स्वामी सिंह, निदेशक

New Delhi, the 27th June, 2005

S. O. 2323.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 478 , dated the 07th February, 2005 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land , specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of natural gas through an interconnection between Jamnagar - Bhopal and Kakinada - Hyderabad - Goa Pipeline by Gas Transportation and Infrastructure Company Limited;

And, whereas the copies of the said Gazette notification were made available to the public on the 30th March , 2005 ;

The objection received from the public to the laying of the Pipeline have been considered and dissolved by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of publication of the declaration, in Gas Transportation and Infrastructure Company Limited free from all encumbrances.

SCHEDULE

Tehsil : Choryasi		State : Gujarat		
Name of the Village	Standing Crop Block No.	Area to be acquired for ROU		
		Hectare	Are	Sq.m
1	2	3	4	5
1. Kathholi	84	00	01	23
	85	00	21	14
	86	00	02	38
	81	00	22	72
	111	00	10	64
	79	00	06	45
	124	00	07	27
	112	00	24	20
	123	00	32	38
	141	00	21	72
	148	00	15	67
	140	00	05	02
	149	00	08	77
	150	00	01	21
	152	00	04	34
	151	00	49	61
	165	00	19	51
	168	00	00	02
	166	00	17	05
	167	00	12	63
	163	00	04	04
	182	00	10	44
	184	00	17	83
	183	00	04	43
	245	00	21	77
	244	00	17	71
	270	00	31	64
	418	00	11	72
	417	00	02	88
	416	00	22	61
	414	00	24	28
	413	00	29	25
	423	00	11	38
	486	00	18	35
	490	00	32	49
	489	00	00	02
	491	00	10	43
	495	00	09	68
	494	00	24	57
	496	00	13	43
	502	00	22	88
	501	00	02	38
	503	00	17	07
	504	00	03	86
	562	00	17	48
	561	00	16	79
	560	00	18	07
	559	00	20	58
	558	00	19	86
	557	00	19	24
	556	00	19	13
	554	00	05	63
	553	00	38	19
	552	00	19	60
2. Bhatiya	352	00	16	32
	354	00	12	00
	353	00	69	65
	365	00	36	19
	366	00	23	52
	380	00	25	36
	379	00	36	96
	364	00	33	53
	35	00	42	58
	33	00	30	09
	32	00	14	08
	44	00	10	10
	46	00	18	91

	1	2	3	4	5
3. Wastana		346	00	26	46
		348	00	20	50
		350	00	37	84
		39	00	14	47
		40	00	00	16
		38	00	29	21
		37	00	21	20
		36	00	18	86
		35	00	21	33
		57	00	09	49
		58	00	26	15
		60	00	04	62
		59	00	20	23
		230	00	23	85
		231	00	14	99
		246	00	30	76
		244	00	15	88
		248	00	19	98
		260	00	09	52
		261	00	18	26
		257	00	06	30
4. Bonand		185	00	33	22
		188	00	12	03
		189	00	30	10
		190	00	47	94
		191	00	28	22
		178	00	44	53
		177	00	07	55
		132	00	25	36
		133	00	14	19
		113	00	19	17
		119	00	39	74
		94	00	19	67
		95	00	29	05
		97	00	57	33
5. Goja		38	00	21	80
		40	00	59	69
		46	00	29	50
		48	00	22	76
		49	00	58	33
		50	00	24	79
		104	00	26	09
		105	00	00	15
		111	00	98	18
		116	00	41	42
		113	00	23	02
		115	00	09	12
		114	00	22	59
6. Mahoni		53	00	04	44
		54	00	32	10
		55	00	35	76
		78	00	00	68
		77	00	39	64
		64	00	27	92
		238	00	55	61
		182	00	30	18
		181	00	22	12
		183	00	03	43
		184	00	82	52
		189	00	10	38
		190	00	28	54
		191	00	62	09
		195/A	00	33	27
7. Sabargam		4	00	01	09
Tehsil : Paleana	District : Surat	State : Gujarat			
Name of the Village	Survey No./Block No.	Area to be acquired for ROU			
		Hectare	Acre	Sq.m	
1	2	3	4	5	
1.Niyoi	247	02	07	50	
	246	00	00	01	
	232	00	13	91	

1	2	3	4	5
Niyol (Cont'd)	230P	00	12	63
	230	00	32	64
	221	00	55	68
	220	00	02	05
	211	00	37	27
	176	00	06	89
	176P	00	12	00
	210	00	04	52
	179	00	17	39
	180	00	23	23
	188	00	49	55
	192	00	44	14
	191	00	30	16
	134	00	39	15
	127	00	31	57
	105	00	14	73
	106	00	01	00
	69	00	19	87
	64	00	00	01
	68/1	00	41	70
	80A	00	37	61
	94/P1	00	32	48
	93/1	00	81	87
2.Antroli	284	00	36	35
	286	00	12	97
	287	00	54	11
	289	00	00	01
	290	00	39	49
	299	00	26	23
Tehsil : Kamrej	District : Surat	State : Gujarat		
Name of the Village	Survey No./Block No.	Area to be acquired for ROU		
		Hectare	Are	Sq.m
1	2	3	4	5
1.Chhedachha	78	00	22	12
	76	00	13	73
	75	00	30	20
	72	00	12	34
	74	00	23	34
	73	00	03	70
	71	00	28	68
	64	00	25	01
	65	00	31	91
	63	00	03	97
	57/A	00	31	24
	55	00	23	64
	51	00	57	70
	52/P	00	00	50
	38	00	49	13
	37	00	60	92
2.Kosmada	234	00	00	01
	228	00	46	91
	226	00	42	41
	225	00	10	91
	224	00	10	94
	260	00	09	57
	281	00	42	92
	283	00	23	89
	265	00	38	35
	266	00	10	69
	371	00	04	73
	370	00	34	50
	363	00	31	74
	352	00	41	29
	353	00	19	85
	353P	00	10	20
	354	00	00	08
	355	00	11	63
	356	00	14	20
	357	00	32	67
	345A	00	63	73

1	2	3	4	5
Kosmada (Cont'd)	341	00	00	51
	341P	00	34	85
	342	00	00	19
3. Khadsad	88	00	69	48
	87	00	16	91
	110	00	36	20
	85	00	04	96
	86	00	60	95
	44	00	38	75
	45	00	55	56
	46	00	35	20
4. Pasodara	47	00	30	25
	88	00	30	50
	89	00	24	47
	90	00	40	14
	81	00	05	02
	92	00	17	44
	93	00	20	66
	96	00	26	66
	102	00	49	45
	106	00	12	73
5. Lashkana	104	00	51	24
	105	00	05	41
	10	00	02	51
	5	0	19	70
	5/P	02	22	77
6. Valak	12	00	12	23
	166	00	08	62
	59	00	39	87
	58	00	32	85
	57	00	36	78
	54	00	37	60
	53	00	05	53
	52	00	52	46
	50	00	14	56
	49	00	25	81
7. Bhada	48	00	21	88
	47	00	18	46
	137	00	10	55
	138	00	23	27
	139	00	31	03
	140	00	24	85
	145	00	28	80
	146	00	33	98
	108	00	01	20
	107	00	33	30
	106	00	18	74
	104	00	15	55
	105	00	14	98
	103	00	00	40
	100	00	20	16
	102	00	34	25
	80	00	24	20
	79	00	23	77
	77	00	00	79
	78	00	04	47
8. Kathor	52	00	36	45
	41	00	01	20
	42	00	29	93
	43	00	51	09
	44	00	33	50
	45	00	48	21
	14	00	41	11
	9	00	15	58
	36	00	39	31
	37	00	04	65
	38	00	36	29
	41	00	54	69
	42	00	50	72
	43	00	22	23
	44	00	25	09
	45	00	23	00

1	2	3	4	5
Kathor (Cont'd)	46	00	30	05
	47	00	12	00
	50	00	28	53
	51	00	01	32
	53	00	23	84
	69	00	37	14
	68	00	26	25
9. Abrams	557/B	00	24	24
10. Velanja	305	00	08	61
	304	00	35	40
	303	00	59	33
	300	00	50	01
	294	00	05	14
	298	00	36	14
	297	00	30	24
	278	00	30	44
	285	00	30	38
	281	00	20	89
	280	00	23	90
	279	00	25	59
	259	00	37	44
	260	00	32	28
	264	00	14	37
	263	00	76	48
	242	00	52	29
	243	00	24	24
	205/A	00	98	81
	207	00	01	54
	208/A	00	08	13
	211	00	53	78
	212	00	10	71
	215	00	48	71
	214	00	05	66
	199	00	33	81
	200	00	21	12
	198 P	00	02	20
	198 P	00	35	21
	167	00	00	40
	171	00	00	40
	190	00	24	80
	189	00	31	68
	188	00	42	38
	183	00	41	48
	182	00	34	31
11. Shekhpur	11	00	84	52
	13	00	32	35
	19	00	30	76
	20/A	00	43	03
	27	00	28	87
	28	00	36	37
	38	00	31	87
	39	00	12	59
	45	00	11	56
	46	00	40	56
	47	00	00	40
	53	00	23	39
	54	00	01	64
	56	00	37	64
	55	00	00	42
	66	00	00	46
	72	00	07	29
	67	00	05	65
	71	00	02	05
	70	00	07	86
	80	00	15	28
	85	00	12	64
	84	00	02	94
	82	00	07	96
	95	00	00	95
	119	00	65	50
	118	00	00	40
	116 P	00	62	46
	111	00	17	16

1	2	3	4	5
Shekhpur (Cont'd)	110	00	54	78
	106	00	44	01
	105	00	05	69
Tehsil : Olpad	District : Surat	State : Gujarat		
Name of the Village	Survey No./Block No.	Area to be acquired for ROU		
		Hectare	Acre	Sq.m
1	2	3	4	5
1. Karoli	102	00	51	41
	103	00	43	64
	106	00	21	52
	112	00	58	22
	113	00	37	29
	129	00	35	94
	130	00	24	19
	131	00	48	43
	82	01	06	67
	138	00	17	14
	139	00	27	23
	141	00	46	18
	145	00	30	75
	146	00	39	16
	147	00	00	69
	148	00	52	50
	185	00	03	05
	184	00	40	86
	181	00	12	34
	183	00	12	39
	178	00	15	14
	176	00	48	72
	175	00	00	50
	258	00	00	40
	260	01	02	34
	281	00	40	84
	261	00	11	92
	280/B	00	00	40
	270	00	41	36
	278	00	39	95
	277	00	64	87
	276	00	10	31
	286	00	05	65
	288	00	12	53
	289	00	36	39
	290	00	09	83
2. Syadia	130	00	89	29
	127	00	32	74
	114	00	37	16
	110	00	14	29
	108	00	55	15
	106	00	00	40
	105	00	26	42
	104	00	09	02
	97/A	00	39	42
	101	00	25	74
	100	00	31	21
	72	00	91	59
	73	00	01	20
3. Simathu	163	00	29	44
	160	00	42	30
	159	00	24	35
	157	00	51	30
	156	00	06	27
	167	00	16	04
	126	00	57	31
	127	00	54	67
	128	00	00	80
	129/A	00	32	99
	129/B	00	36	00
	133	00	19	95
	134	00	74	06
4. Bolev	108	00	07	48
	107	00	86	65
	7	Contd....8		

1	2	3	4	5
Bolav (Cont'd)	159/A	00	16	70
	119	00	30	60
	121	00	23	00
	118	00	01	88
	117	00	67	54
5.Anita	198	00	72	85
	197	00	24	86
	194	00	51	52
	241	00	01	75
	246	00	27	75
	247	00	26	67
	248	00	11	34
	249	00	14	68
	250	00	17	30
	251	00	00	64
	252	00	13	83
	253/A	00	24	71
	253/B	00	26	73
	290	00	25	21
	296	00	72	61
	315	00	29	53
	312	00	11	75
	313	00	36	71
	336	00	05	27
	314	00	00	40
	335	00	13	23
	334	00	19	92
	387	00	57	32
	393	00	00	40
	394	00	18	60
	395	00	13	02
	396	00	17	64
	397	00	09	85
	409	00	00	40
	399	00	33	98
	408	00	14	57
	407	00	29	65
	403	00	35	18
	404	00	33	67
	355/B	00	00	40
6.Umarachhi	184	00	04	08
	185	00	00	40
	175	00	26	49
	174	00	19	39
	176	00	11	75
	177	00	03	75
	171	00	50	08
	169	00	13	46
	168	00	01	80
	102	00	17	36
	163/B	00	67	63
	98	00	07	50

[F. No. L-14014/37/2004-G.P.]

SWAMI SINGH, DIRECTOR

नई दिल्ली, 27 जून, 2005

का. आ. 2324.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मुन्द्रा (गुजरात) से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिससे इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री शिवदत्त गौड़, सक्षम प्राधिकारी, मुम्बई-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन परियोजना, हिंदुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, डी-7, लालबहादुर नगर (पूर्व), क्लार्क्स आमेर होटल के सामने, जवाहरलाल नेहरू मार्ग, मालवीय नगर, जयपुर-302017(राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1. आबल		657	0	02	31
		664	0	01	36
		677	0	00	46
		712	0	00	60
		713	0	00	28
		717	0	00	51
		718	0	00	19
		421	0	00	20
		423	0	02	33
		400	0	00	39
		384	0	05	44
		373	0	00	31
		371	0	00	29
		372	0	00	27
		370	0	01	48
		365	0	00	43
	178(ग्राम.पं.सड़क)		0	01	23
		123	0	00	22
		135	0	00	68
		137	0	02	79
		142	0	01	42
		149	0	00	70
2. मूंगथला		519	0	00	51
		570	0	00	56
	572(सि.विभाग)		0	00	40
	573(सि.विभाग)		0	00	46
		596	0	01	69
		594	0	00	20
	597(स.नाला)		0	00	54
		1679/1	0	00	61
		1678	0	04	34
		1500	0	01	44
		1498	0	03	63

तहसील : आबू रोड		जिला : धीरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
2.	मूंगयला (जारी...)	1497	0	01	35
		1472	0	02	12
		1404	0	01	43
		1405	0	00	49
		1413	0	01	30
		1414	0	01	96
		1411	0	00	71
		1349	0	00	60
		1280	0	00	92
		1281	0	00	49
		1266	0	00	40
3.	मीरगढ	94	0	01	71
		86	0	07	37
		76	0	04	67
		75	0	00	54
		35	0	01	54
		32	0	00	22
4.	तलवारों का नाका	372	0	02	02
		369(स.नाला)	0	00	25
		347	0	00	30
		354	0	00	49
		358	0	07	01
		318	0	01	09
		299	0	02	34
		296	0	01	85
		295/532	0	02	67
		295/1	}	00	66
		295मिन01			
		281	0	01	82
		283	0	01	44
		278(सिं.वि. नहर)	0	00	17
		277/521	0	01	41
5.	गणका	12	0	01	18
		443	0	02	63
		444	0	02	62
		429	0	01	09
		415	0	01	04
		68	0	00	94
		116	0	01	37
		117	0	02	10
		121	0	02	85
6.	उमरवी	68	0	00	32
		64	0	00	36
		53	0	00	95
		49(स.नाला)	0	04	11

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
6.	उमिरजी (जमीन-)	186	0	01	44
		239	0	01	95
		244	0	00	06
		196मिन 01	0	00	86
		197	0	03	42
		433मिन 01	0	01	68
7.	दानवाव	203	0	00	64
		206	0	00	64
		219	0	00	81
		236	0	01	21
		245	0	01	27
		244	0	00	83
		237	0	00	30
		243	0	01	44
		272/252	0	00	96
		255	0	01	07
8.	कारोली	406	0	00	37
		410 (स.मगरी)	0	00	61
		409	0	00	68
		387(स.नाला)	0	00	42
		396/2	0	00	16
		393	0	00	24
		233/2	0	00	67
		232	0	01	06
		250	0	00	60
		121	0	01	79
9.	आमथला	1081	0	00	76
		1083	0	02	55
		1093	0	03	23
		1082	0	00	96
		992मिन 01(स.भूमि)	0	00	31
		993	0	00	96
		981	0	02	16
		986	0	04	45
		987	0	01	14
		834/2	0	00	38
		686	0	00	61
		719	0	00	33
		720	0	00	41
		726	0	02	08
		743	0	01	09
		744(स.भूमि)	0	00	36
		745(स.रास्ता)	0	00	17
		752	0	00	61

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
9.	आमयला (जारी...)	750 मिन01(स.भूमि)			
		750/1175	0	00	38
		750/1211			
		750/1212			
		142/1210	0	01	55
		140मिन01(स.भूमि)	0	00	24
		126/1191	0	00	74
		126मिन01(स.भूमि)			
		126/1163	0	00	72
		126/1162			
		122	0	00	20
		124	0	00	38
10.	मुदरला	409	0	01	01
		404	0	01	40
		394	0	01	74
		339/763	0	01	37
		341	0	00	82
		354	0	00	80
		358मिन	0	02	27
		74	0	02	59
		86	0	00	65
		90	0	00	90

[फा. सं. आर-31015/44/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 27th June, 2005

S.O. 2324.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Mundra (Gujarat) to Delhi, a pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule, may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Shivdutt Gaur, Competent Authority, Mundra-Delhi Petroleum Product Pipeline Project, Hindustan Petroleum Corporation Limited, D-7, Lal Bahadur Nagar (East), Opp. Clarks Amer Hotel, Jawahar Lal Nehru Marg, Malviya Nagar, Jaipur – 302017 (Rajasthan).

हरीश कुमार/HARISH KUMAR

SCHEDULE

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area *		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1.	AVAL	657	0	02	31
		664	0	01	36
		677	0	00	46
		712	0	00	60
		713	0	00	28
		717	0	00	51
		718	0	00	19
		421	0	00	20
		423	0	02	33
		400	0	00	39
		384	0	05	44
		373	0	00	31
		371	0	00	29
		372	0	00	27
		370	0	01	48
		365	0	00	43
		178(G.P. Road)	0	01	23
		123	0	00	22
		135	0	00	68
		137	0	02	79
		142	0	01	42
		149	0	00	70
2.	MUNGTHALA	519	0	00	51
		570	0	00	56
		573(Irrigation deptt.)	0	00	40
		578(Irrigation deptt.)	0	00	46
		596	0	01	69
		594	0	00	20
		597(G/L Nala)	0	00	54
		1679/1	0	00	61
		1678	0	04	34
		1500	0	01	44
		1498	0	03	63
		1497	0	01	35
		1472	0	02	12
		1404	0	01	43
		1405	0	00	49
		1413	0	01	30
		1414	0	01	96
		1411	0	00	71
		1349	0	00	60

Tehsil : ABU ROAD		District : SURDH	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
1	2	3	Hectare	Are	Sq. mtr.
4	5	6			
2.	MUNGTHALA (Contd...)	1280	0	00	92
		1281	0	00	49
		1266	0	00	40
3.	MIRGARH	94	0	01	71
		86	0	07	37
		76	0	04	67
		75	0	00	54
		35	0	01	54
		32	0	00	22
4.	TALWARON KA NAKA	372	0	02	02
		369(G/L Nala)	0	00	25
		347	0	00	33
		354	0	00	49
		358	0	07	01
		318	0	01	09
		299	0	02	34
		296	0	01	85
		295/532	0	02	67
		295/1	}	00	66
		295Min01			
		281	0	01	82
		283	0	01	44
		278(Irrig. Deptt. Canal)	0	00	17
		277/521	0	01	41
5.	GANKA	12	0	01	18
		443	0	02	63
		444	0	02	62
		429	0	01	09
		415	0	01	04
		68	0	00	94
		116	0	01	37
		117	0	02	10
		121	0	02	85
6.	UMARNI	68	0	00	32
		64	0	00	36
		53	0	00	95
		49(G/L Nala)	0	04	11
		186	0	01	44
		239	0	01	95
		244	0	00	06
		196Min01	0	00	86
		197	0	03	42
		433Min01	0	01	68

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
7.	DANWAV	205	0	00	64
		206	0	00	64
		219	0	00	81
		236	0	01	21
		245	0	01	27
		244	0	00	83
		237	0	00	39
		243	0	01	44
		272/252	0	00	96
		255	0	01	07
		406	0	00	37
8.	KAROLI	410 (G/L Magari)	0	00	61
		409	0	00	68
		387(G/L Nala)	0	00	42
		396/2	0	00	16
		393	0	00	24
		233/2	0	00	67
		232	0	01	06
		250	0	00	60
		121	0	01	79
		1081	0	00	76
		1083	0	02	55
		1093	0	03	23
		1082	0	00	96
		992Min01(G/L)	0	00	31
		993	0	00	96
9.	AMTHALA	981	0	02	16
		986	0	04	45
		987	0	01	14
		834/2	0	00	38
		686	0	00	61
		719	0	00	33
		720	0	00	41
		726	0	02	08
		743	0	01	09
		744(G/L)	0	00	36
		745(G/L Cart Track)	0	00	17
		752	0	00	61
		750Min01 (G/L)	}	0	00
		750/1175			
		750/1211			
		750/1212			
		142/1210	0	01	55

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
9.	AMTHALA (Contd...)	140Min01(G/L)	0	00	24
		126/1191	0	00	74
		126Min01(G/L)	0	00	72
		126/1163			
		126/1162			
		122	0	00	20
		124	0	00	38
10.	MUDARLA	409	0	01	01
		404	0	01	40
		394	0	01	74
		339/763	0	01	37
		341	0	00	82
		354	0	00	80
		358Min	0	02	27
		74	0	02	59
		86	0	00	65
		90	0	00	90

[No. R-31015/44/2004-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 27 जून, 2005

का. आ. 2325.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 3098 तारीख 23 नवम्बर, 2004, जो भारत के राजपत्र तारीख 04 दिसम्बर, 2004, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 24 फरवरी, 2005, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करता है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख की केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अधीन सभी विल्लंगनों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1. आवल		654(स.रास्ता)	0	02	14
		655(स.रास्ता)	0	00	25
		653(स.रास्ता)	0	00	57
		656	0	04	99
		657	0	04	27
		658	0	00	20
		662	0	08	58
		663	0	08	56
		664	0	00	20
		688	0	06	26
		691	0	00	29
		687	0	02	52
		685	0	09	44
		682	0	04	72
		681	0	02	40
		676	0	03	96
		677	0	03	50
		675	0	06	12
		712	0	06	96
		713	0	07	10
		714	0	00	20
		714/1463	0	09	36
		715	0	12	78
		716	0	11	77
		448	0	00	25
		447	0	01	23
		717	0	05	97
		718	0	05	93
		418	0	09	90
		420/1	0	04	48
		420मिन	0	01	65
		421	0	00	20
		428	0	03	20

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1. आवल (जारी...)		423	0	06	11
		427	0	00	96
		425	0	09	36
		426	0	00	20
	408 (ग्रा.पं.रास्ता)		0	01	44
		400	0	16	36
		399	0	06	75
		398	0	01	26
		397	0	12	65
		384	0	03	45
		386	0	13	14
		373	0	08	15
		371	0	08	26
		372	0	08	28
		370	0	15	53
	369(स.नाला)		0	03	24
	368(स.खालखदर)		0	02	29
	335(ग्रा.पं.आबादी)		0	00	66
		347	0	02	52
		348	0	08	01
	367(ग्रा.पं.रास्ता)		0	01	08
		366	0	09	54
		365	0	08	21
	178(ग्रा.पं.सड़क)		0	03	09
		112/1	0	01	20
		123	0	19	04
		124	0	08	64
		126	0	08	55
		135	0	06	52
		137	0	00	73
		134	0	09	80
		142	0	15	32
	133/1		}	0	00
	133				
	143(स.नाला)		0	03	42
		150	0	18	00
		147	0	04	20
		149	0	01	70
		148	0	07	40
		162	0	16	92
		164	0	25	00
2. मूंगथला	474(ग्रा.पं.चारागाह)		0	11	00
		475	0	18	53

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
2.	मूंगयला (जारी...)	477(स.नाला)	0	01	01
		478	0	00	32
		479	0	10	55
		480(स.नाला)	0	02	15
		519	0	12	45
		520	0	08	55
		527	0	11	40
		526	0	21	11
		547	0	12	47
		549(स.नाला)	0	03	70
		552	0	30	57
		558(स.नाला)	0	03	25
		557	0	21	25
		564	0	22	09
		566	0	10	84
		570	0	17	60
		569	0	02	15
		572(स.नाला)	0	03	92
		573(सिं.विभाग)	0	04	46
		578(सिं.विभाग)	0	04	94
		574	0	22	27
		596	0	21	61
		594	0	00	20
		597(स.नाला)	0	02	34
		1704	0	00	69
		1708	0	15	52
		1707	0	03	75
		1687 (स.रास्ता)	0	02	11
		1679/1	0	09	01
		1675	0	04	84
		1678	0	20	96
		1670	0	00	20
		1528(पी.डब्ल्यू.डी.सड़क)	0	04	47
		1500	0	26	00
		1499	0	00	96
		1498	0	07	78
		1497	0	01	85
		1496 (स.रास्ता)	0	01	15
		1471	0	07	10

तहसील : आबू रोड		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
2.	मूंगयला (जारी...)	1472	0	00	40
		1470	0	09	51
		1469	0	10	33
		1468	0	10	11
		1474	0	00	20
		1475	0	10	15
		1476	0	07	17
		1404	0	15	94
		1405	0	12	11
		1406 (स.रास्ता)	0	01	25
		1407	0	07	84
		1413	0	12	25
		1409	0	02	20
		1414	0	02	95
		1410	0	00	20
		1412	0	09	35
		1411	0	02	71
		1435	0	10	87
		1428	0	23	87
		1426	0	12	91
		1350	0	11	34
		1349	0	09	20
		1299	0	08	66
		1299/1	0	05	06
		1300मिन	0	04	10
		1300/1	0	07	18
		1301	0	00	20
		1280	0	26	58
		1281	0	14	12
		1263	0	20	49
		1266	0	05	45
		1267	0	00	20
3.	मीरगढ	1 (स.नाला)	0	04	32
		94	0	06	59
		93	0	10	07
		84	0	14	40
		77	0	02	14
		86	0	02	68
		76	0	11	88

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
3.	मीरगढ (जारी...)	74	0	01	44
		75	0	00	20
		27मिन01	0	06	25
		27(स.नदी)	0	05	96
		35	0	16	46
		33	0	11	88
		31	0	00	20
		32	0	02	86
4.	तलवारों का नाका	371	0	11	42
		372	0	00	20
		369(स.नाला)	0	01	91
		347	0	00	57
		354	0	19	51
		353	0	02	97
		358	0	00	20
		338(स.नाला)	0	02	00
		337	0	00	20
		335	0	10	27
		334/1	0	02	27
		334मिन	0	13	63
		323	0	07	74
		322	0	00	73
		318	0	24	41
		317	0	00	30
		303	0	17	10
		302	0	02	87
		300(स.नाला)	0	07	20
		299	0	04	16
		296	0	29	99
		297	0	00	59
		295/532	0	03	56
		295/533	0	14	04
		295/1	}	16	62
		295मिन01			
		294/531	0	04	60
		293/523	0	05	04
		293/522	0	23	51
		293	0	05	71
		286(स.रास्ता)	0	01	23

तहसील : आबू रोड		जिला : सिंदूर	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
4.	तलवारों का नाका (जारी...)	281	0	13	30
		282	0	19	62
		283	0	26	40
	278(सिं.वि. नहर)		0	10	87
	277/521		0	18	03
	277		}	11	52
	277मिन01				
5.	गणका	14	0	02	88
	15(स.रास्ता)		0	00	20
	13(स.नाला)		0	03	04
	12		0	35	24
	31(स.रास्ता)		0	01	15
	442		0	00	20
	443		0	10	96
	441		0	06	85
	440		0	20	43
	444		0	00	61
	439		0	11	75
	432(स.रास्ता)		0	03	82
	429		0	12	77
	428/2		0	06	96
	428/1		0	06	02
	427/1		0	03	21
	427/2		0	01	29
	425/2		0	02	94
	425/1		0	03	47
	417		0	10	05
	416		0	00	80
	415		0	14	18
	414		0	19	03
	51		0	00	20
	68		0	00	20
	413		0	18	00
	71		0	10	02
	114(पी.डब्ल्यू.डी.चारागाह)		0	39	47
	72		0	00	26
	115(स.नाला)		0	04	53
	116		0	04	74
	117		0	07	80

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
5.	गणका (जारी...)	118	0	12	47
		121	0	16	86
		122	0	00	60
		123(स.रास्ता)	0	00	97
		124	0	06	77
6.	उमरनी	76	0	11	88
		75	0	00	20
		68	0	20	92
		67	0	10	57
		64	0	17	10
		59	0	12	23
		55	0	05	39
		56/1	0	06	49
		54	0	09	04
		53	0	04	09
		51	0	08	96
		49(स.नाला)	0	04	53
		186	0	06	48
		182(पी.डब्ल्यू.डी. सड़क)	0	02	94
		232	0	07	20
		237	0	14	74
		238	0	13	48
		239	0	00	25
		242	0	13	68
		244	0	18	11
		209	0	00	73
		196मिन 01	0	15	52
		196/1	0	03	48
		197	0	03	63
		199	0	03	60
		198	0	18	12
		202	0	05	19
		208(सिं.वि. नहर)	0	10	98
		427	0	41	88
		434	0	03	77
		433मिन01	0	26	37
		433/1	0	12	00
		435	0	06	72

तहसील : आबू रोड		जिला : सिरोही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7. दानवाव		205	0	07	20
		204	0	11	00
		207	0	08	55
		209	0	06	48
		210	0	00	20
		217(स.रास्ता)	0	01	17
		219	0	20	07
		223(स.नाला)	0	04	50
		236	0	31	91
		245	0	01	13
		244	0	12	37
		237	0	00	41
		243	0	09	00
		251(पी.डब्ल्यू.डी सड़क)	0	04	77
		252मिन01	0	35	19
		272/252	0	10	08
		257मिन	0	02	74
		256/5	0	03	96
		256/4	0	03	42
		256/3	0	04	23
		256/2	0	03	96
		256/1	0	04	23
		255	0	17	10
		254(स.मगरी)	0	05	40
8. कारोली		412(स.मगरी)	0	09	27
		406	0	06	05
		411	0	13	87
		410 (स.मगरी)	0	00	65
		409	0	10	42
		408	0	00	20
		387(स.नाला)	0	03	48
		390	0	05	85
		391	0	16	56
		396/2	0	01	41
		393	0	20	55
		394	0	08	64
		398(स.रास्ता)	0	01	57
		240	0	22	40
		239/1	0	02	66

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
8. कारोली (जारी...)		233/1	0	03	70
		233/2	0	02	08
		247/1	0	46	72
		247/2			
		522/247			
		523/247			
		524/247			
		232	0	02	16
		231	0	02	12
		230	0	00	53
		250	0	58	20
		251मिन01(स.भूमि)	0	29	06
		528/251/1			
		529/251/2			
		530/251/3			
		255	0	17	52
		256	0	12	49
		257	0	17	10
		258	0	01	01
		259	0	01	35
		125(स.रास्ता)	0	00	97
		121	0	28	86
		1042	0	02	16
		1037(स.रास्ता)	0	01	44
		1036	0	25	30
		1081	0	14	72
		1083	0	17	87
		1092	0	09	27
		1093	0	01	57
9. आमयला		992मिन01(स.भूमि)	0	02	57
		993	0	10	20
		992/1168(स.खालखदर)	0	06	43
		988	0	12	36
		986	0	04	05
		987	0	01	20
		977(स.रास्ता)	0	01	36
		976	0	03	24
		975	0	13	68
		969 (स.नाला)	0	00	95

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
1	2	3	हेक्टर	एयर	वर्ग मीटर
9.	आमयला (जारी...)	868(स. भूमि)	0	01	72
		866मिन	0	07	87
		865	0	12	95
		863	0	00	20
		834/2	0	02	19
		833/1	0	14	81
		772(पी.डबल्यू.डी सड़क)	0	05	36
		707	0	12	96
		708	0	31	45
		711(स.रास्ता)	0	00	72
		697	0	09	64
		686	0	00	44
		720/1147	0	00	50
		719	0	05	97
		720	0	06	09
		722	0	03	37
		723	0	03	12
		725	0	04	88
		726	0	15	50
		727	0	00	60
		743	0	09	35
		742	0	00	20
		744(स.भूमि)	0	01	80
		745(स.रास्ता)	0	01	27
		752	0	12	53
		751मिन. 01(स.नाला)	0	03	24
		751/1190			
		750 मिन01(स.भूमि)	0	03	76
		750/1175			
		750/1211			
		750/1212			
		142/1219	0	08	52
		142/1210	0	13	47
		142/1213	0	03	26
		142/1266	0	19	08
		140मिन01(स.भूमि)	0	05	52
		128(स.नाला)	0	01	20
		126/1191	0	06	88

तहसील : आबु रोड		जिला : सिरौही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	सूचका सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
			4	5	6
9.	आमथला (जारी...)	126मिन01(स.भूमि)			
		126/1163	0	05	76
		126/1162			
		124	0	12	58
10.	मुदरला	658	0	06	65
		657	0	11	58
		612 (स.रास्ता)	0	02	52
		587	0	12	47
		469/1 (स.नाला)	0	24	87
		469मिन. (स.नाला)			
		418	0	03	27
		419 मिन.01	0	10	17
		419/760			
		424	0	21	74
		428	0	18	53
		429	0	13	18
		410	0	10	45
		411	0	00	20
		408	0	01	80
		409	0	06	27
		405	0	02	16
		404	0	02	91
		392/1	0	15	76
		392मिन	0	18	06
		394	0	01	58
		337(स.सड़क)	0	01	27
		339/763	0	06	55
		341	0	09	26
		354	0	16	48
		358मिन	0	08	53
		375	0	14	41
		374 मिन	0	00	56
		376	0	02	16
		373	0	00	96
		372	0	10	09
		371(स.खालखदर)	0	00	92
		112 (वनविभाग)	0	02	16
		.74	0	07	13
		86	0	21	67

तहसील : आबू रोड		जिला : सिरोंही	राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
1	2	3	हेक्टेयर	एयर	वर्ग मीटर
10.	मुदरला (जारी...)	85	0	11	14
		90	0	04	89
		84	0	03	20

[फा. सं. आर-31015/44/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 27th June, 2005

S. O. 2325.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3098 dated the 23rd November, 2004, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 4th December, 2004, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 24th February, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

SCHEDULE

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area *		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1. AVAL		654(G/L Cart Track)	0	02	14
		655(G/L Cart Track)	0	00	25
		653(G/L Cart Track)	0	00	57
		656	0	04	99
		657	0	04	27
		658	0	00	20
		662	0	08	58
		663	0	08	56
		664	0	00	20
		688	0	06	26
		691	0	00	29
		687	0	02	52
		685	0	09	44
		682	0	04	72
		681	0	02	40
		676	0	03	96
		677	0	03	50
		675	0	06	12
		712	0	06	96
		713	0	07	10
		714	0	00	20
		714/1463	0	09	36
		715	0	12	78
		716	0	11	77
		448	0	00	25
		447	0	01	23
		717	0	05	97
		718	0	05	93
		418	0	09	90
		420/1	0	04	48
		420Min	0	01	65
		421	0	00	20
		428	0	03	20
	423	0	06	11	
	427	0	00	96	
	425	0	09	36	
	426	0	00	20	

Tehsil : ABU ROAD		District : SIKHAR	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1.	AVAL (Contd...)	408 (G.P. Cart track)	0	01	44
		400	0	16	36
		399	0	06	75
		398	0	01	26
		397	0	12	65
		384	0	03	45
		386	0	13	14
		373	0	08	15
		371	0	08	26
		372	0	08	28
		370	0	15	53
		369(G/L Nala)	0	03	24
		368(G/L Khalkhaddar)	0	02	29
		335(GP Abadi)	0	00	66
		347	0	02	52
		348	0	08	01
		367(G.P. Cart Track)	0	01	08
		366	0	09	54
		365	0	08	21
		178(G.P. Road)	0	03	09
		112/1	0	01	20
		123	0	19	04
		124	0	08	64
		126	0	08	55
		135	0	06	52
		137	0	00	73
		134	0	09	80
		142	0	15	32
		133/1	}	00	20
		133			
		143(G/L Nala)	0	03	42
		150	0	18	00
		147	0	04	20
		149	0	01	70
		148	0	07	40
		162	0	16	92
		164	0	25	00
2.	MUNGTHALA	474(G.P. Pasture)	0	11	00
		475	0	18	53

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
2.	MUNGTHALA (Contd...)	477(G/L Nala)	0	01	01
		478	0	00	32
		479	0	10	55
		480(G/L Nala)	0	02	15
		519	0	12	45
		520	0	08	55
		527	0	11	40
		526	0	21	11
		547	0	12	47
		549(G/L Nala)	0	03	70
		552	0	30	57
		558(G/L Nala)	0	03	25
		557	0	21	25
		564	0	22	09
		566	0	10	84
		570	0	17	60
		569	0	02	15
		572(G/L Nala)	0	03	92
		573(Irrigation deptt.)	0	04	46
		578(Irrigation deptt.)	0	04	94
		574	0	22	27
		596	0	21	61
		594	0	00	20
		597(G/L Nala)	0	02	34
		1704	0	00	69
		1708	0	15	52
		1707	0	03	75
		1687 (G/L Cart Track)	0	02	11
		1679/1	0	09	01
		1675	0	04	84
		1678	0	20	96
		1670	0	00	20
		1528(P.W.D. Road)	0	04	47
		1500	0	26	00
		1499	0	00	96
		1498	0	07	78
		1497	0	01	85
		1496 (G/L Cart Track)	0	01	15
		1471	0	07	10

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
2.	MUNGTHALA (Contd...)	1472	0	00	40
		1470	0	09	51
		1469	0	10	33
		1468	0	10	11
		1474	0	00	20
		1475	0	10	15
		1476	0	07	17
		1404	0	15	94
		1405	0	12	11
		1406 (G/L Cart Track)	0	01	25
		1407	0	07	84
		1413	0	12	25
		1409	0	02	20
		1414	0	02	95
		1410	0	00	20
		1412	0	09	35
		1411	0	02	71
		1435	0	10	87
		1428	0	23	87
		1426	0	12	91
		1350	0	11	34
		1349	0	09	20
		1299	0	08	66
		1299/1	0	05	06
		1300Min	0	04	10
		1300/1	0	07	18
		1301	0	00	20
		1280	0	26	58
		1281	0	14	12
		1263	0	20	49
		1266	0	05	45
		1267	0	00	20
3.	MIRGARH	1(G/L Nala)	0	04	32
		94	0	06	59
		93	0	10	07
		84	0	14	40
		77	0	02	14
		86	0	02	68
		76	0	11	88

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
3.	MIRGARH (Contd...)	74	0	01	44
		75	0	00	20
		27Min01	0	06	25
		27(G/L River)	0	05	96
		35	0	16	46
		33	0	11	88
		31	0	00	20
		32	0	02	86
4.	TALWARON KA NAKA	371	0	11	42
		372	0	00	20
		369(G/L Nala)	0	01	91
		347	0	00	57
		354	0	19	51
		353	0	02	97
		358	0	00	20
		338(G/L Nala)	0	02	00
		337	0	00	20
		335	0	10	27
		334/1	0	02	27
		334Min	0	13	63
		323	0	07	74
		322	0	00	73
		318	0	24	41
		317	0	00	30
		303	0	17	10
		302	0	02	87
		300(G/L Nala)	0	07	20
		299	0	04	16
		296	0	29	99
		297	0	00	59
		295/532	0	03	56
		295/533	0	14	04
		295/1	}	0	16
		295/01			
		294/531	0	04	60
		293/523	0	05	04
		293/522	0	23	51
		293	0	05	71
		286(G/L Cart Track)	0	01	23

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
4.	TALWARON KA NAKA	281	0	13	30
	(contd...)	282	0	19	62
		283	0	26	40
		278(Irrig. Deptt. Canal)	0	10	87
		277/521	0	18	03
		277	0	11	52
		277Min01			
5.	GANKA	14	0	02	88
		15(G/L Cart Track)	0	00	20
		13(G/L Nala)	0	03	04
		12	0	35	24
		31(G/L Cart Track)	0	01	15
		442	0	00	20
		443	0	10	96
		441	0	06	85
		440	0	20	43
		444	0	00	61
		439	0	11	70
		432(G/L Cart Track)	0	03	82
		429	0	12	77
		428/2	0	06	96
		428/1	0	06	02
		427/1	0	03	21
		427/2	0	01	29
		425/2	0	02	94
		425/1	0	03	47
		417	0	10	05
		416	0	00	80
		415	0	14	18
		414	0	19	03
		51	0	00	20
		68	0	00	20
		413	0	18	00
		71	0	10	02
		114(P.W.D.Pasture)	0	30	47
		72	0	00	26
		115(G/L Nala)	0	04	53
		116	0	04	74
		117	0	07	80

Tensil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No..	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
5.	GANKA (Contd...)	118	0	12	47
		121	0	16	86
		122	0	00	60
		123(G/L Cart Track)	0	00	97
		124	0	06	77
6.	UMARNI	76	0	11	88
		75	0	00	20
		68	0	20	92
		67	0	10	57
		64	0	17	10
		59	0	12	23
		55	0	05	39
		56/1	0	06	49
		54	0	09	04
		53	0	04	09
		51	0	08	96
		49(G/L Nala)	0	04	53
		186	0	06	48
		182 (PWD Road)	0	02	94
		232	0	07	20
		237	0	14	74
		238	0	13	48
		239	0	00	25
		242	0	13	68
		244	0	18	11
		209	0	00	73
		196Min01	0	15	52
		196/1	0	03	48
		197	0	03	63
		199	0	03	60
		198	0	18	12
		202	0	05	19
		208 (Irrig. Deptt. Canal)	0	10	98
		427	0	41	88
		434	0	03	77
433Min01	0	26	37		
433/1	0	12	00		
435	0	06	72		

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
7.	DANWAV	205	0	07	20
		204	0	11	00
		207	0	08	55
		209	0	06	48
		210	0	00	20
		217(G/L Cart Track)	0	01	17
		219	0	20	07
		223 (G/L Nala)	0	04	50
		236	0	31	91
		245	0	01	13
		244	0	12	37
		237	0	00	41
		243	0	09	00
		251(P.W.D.Road)	0	04	77
		252Min01	0	35	19
		272/252	0	10	08
		257Min	0	02	74
		256/5	0	03	96
		256/4	0	03	42
		256/3	0	04	23
		256/2	0	03	96
		256/1	0	04	23
		255	0	17	10
		8.	KAROLI	254(G/L Magari)	0
412(G/L Magari)	0			09	27
406	0			06	05
411	0			13	87
410 (G/L Magari)	0			00	65
409	0			10	42
408	0			00	20
387(G/L Nala)	0			03	48
389	0			05	85
391	0			16	56
396/2	0			01	41
393	0			20	55
394	0			08	64
398(G/L Cart Track)	0			01	57
240	0			22	40
233/1	0	02	66		

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN			
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
8. KAROLI (Contd...)		233/1	0	03	70	
		233/2	0	02	08	
		247/1	0	46	72	
		247/2				
		522/247				
		523/247				
		524/247				
		232	0	02	16	
		231	0	02	12	
		230	0	00	53	
		250	0	58	20	
		251Min01(G/L)	0	29	06	
		528/251/1				
		529/251/2				
		530/251/3				
		255	0	17	52	
		256	0	12	49	
		257	0	17	10	
		258	0	01	01	
		259	0	01	35	
		125(G/L Cart Track)	0	00	97	
		121	0	28	86	
	9. AMTHALA		1042	0	02	16
			1037(G/L Cart Track)	0	01	44
			1036	0	25	30
			1081	0	14	72
			1083	0	17	87
			1092	0	09	27
			1093	0	01	57
			992Min01(G/L)	0	02	57
			993	0	10	20
			992/1168(G/L Khalkhaddar)	0	06	43
			988	0	12	36
			986	0	04	05
			987	0	01	20
		977(G/L Cart Track)	0	01	36	
		976	0	03	24	
		975	0	13	68	
		969 (G/L Nala)	0	00	95	

Tehsil : ABU ROAD		District : SIKOLI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
9.	AMTHALA (Contd...)	868(G/L)	0	01	72
		866Min	0	07	87
		865	0	12	95
		863	0	00	20
		834/2	0	02	19
		833/1	0	14	81
		772(P.W.D.Road)	0	05	36
		707	0	12	96
		708	0	31	45
		711(G/L Cart Track)	0	00	72
		637	0	09	64
		686	0	00	44
		720/1147	0	00	50
		719	0	05	97
		720	0	06	09
		722	0	03	37
		723	0	03	12
		725	0	04	88
		726	0	15	50
		727	0	00	60
		743	0	09	35
		742	0	00	20
		744(G/L)	0	01	80
		745(G/L Cart Track)	0	01	27
		752	0	12	53
		751Min01(G/L Nala)	}	03	24
		751/1190			
		750Min01 (G/L)	}	03	76
		750/1175			
		750/1211			
		750/1212			
		142/1219	0	08	52
		142/1210	0	13	47
		142/1213	0	03	26
		142/1266	0	19	08
		140Min01(G/L)	0	05	52
		128(G/L Nala)	0	01	20
		126/1191	0	06	88

Tehsil : ABU ROAD		District : SIROHI		State : RAJASTHAN	
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
9.	AMTHALA (Contd...)	126Min01(G/L)	}	05	76
		126/1163			
		126/1162			
		124	0	12	58
10.	MUDARLA	658	0	06	65
		657	0	11	58
		612 (G/L Cart Track)	0	02	52
		587	0	12	47
		469/1 (G/L Nala)	}	24	87
		469Min (G/L Nala)			
		418	0	03	27
		419Min01	}	10	17
		419/760			
		424	0	21	74
		428	0	18	53
		429	0	13	18
		410	0	10	45
		411	0	00	20
		408	0	01	80
		409	0	06	27
		405	0	02	16
		404	0	02	91
		392/1	0	15	76
		392Min	0	18	06
		394	0	01	58
		337(G/L Road)	0	01	27
		339/763	0	06	55
		341	0	09	26
		354	0	16	48
		358Min	0	08	53
		375	0	14	41
		374Min	0	00	56
		376	0	02	16
		373	0	00	96
		372	0	10	09
		371(G/L Khalkhaddar)	0	00	92
		112 (Forest deptt)	0	02	16
		74	0	07	13
		86	0	21	67

Tehsil : ABU ROAD		District : SIROHI	State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
10. MUDARLA (Contd...)		85	0	11	14
		90	0	04	89
		84	0	03	20

[No. R-31015/44/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 28 जून, 2005

का. आ. 2326.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2913 तारीख 3 नवम्बर, 2004, जो भारत के राजपत्र तारीख 13 नवम्बर, 2004, में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में मुद्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए मुद्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 24 दिसम्बर, 2004, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पर सं. आर - 31015/7/03 ओ.आर.-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अधीन सभी विल्लंगनों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तालुका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
1	2	3	4	हेक्टेयर	एयर	वर्ग मीटर
1.	मोडला	140	पी1	0	29	93
		139	पी4	0	11	58
		139	पी3	0	21	38
	रास्ता खसरा संख्या 139/पी3 और 123/पी3 के बीच में			0	02	85
		123	पी3	0	09	25
		125	-	0	29	58
		127	पी1	0	23	52
		128	पी4	0	24	05
		129	-	0	10	33
	रास्ता खसरा संख्या 129 और 19/1 के बीच में			0	01	78
		19	1	0	22	21
		18	पी1	0	02	58
		19	2पी1	0	01	56
	रास्ता खसरा संख्या 19/2/पी2 और 30/पी2 के बीच में			0	05	70
		30	पी1	0	00	96
		29	1पी2	0	13	54
		29	2	0	15	95
		28	-	0	43	69
		22	पी1	0	01	96
		23	-	0	32	24
		14	पी1	0	33	67
	रास्ता खसरा संख्या 14/पी1 में			0	01	42
		590	-	0	12	12
		593	पी2	0	01	76
		593	पी1	0	10	53
		593	पी3	0	06	24
		594	पी1	0	29	72
		582	पी2	1	28	55
		581	पी2	0	29	40
		580	पी3	0	18	99
		580	पी1	0	16	75
		579	पी1	0	34	56
2.	जोटाडा	66	-	0	41	34
	रास्ता खसरा संख्या 66 और 68 के बीच में			0	01	06

तालूका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
1	2	3	4	हेक्टेयर	एयर	वर्ग मीटर
2.	जोटाडा (जारी...)	68	-	0	40	21
		84	पी1	0	40	57
		72	-	0	10	87
		73	-	0	31	86
3.	जाखेल	188	पी1	0	61	47
		188	पी9	0	18	53
		188	पी5	0	00	20
4.	नेकारिया	62	पी1	0	31	35
		64	1पी2	0	20	31
		65	1	0	00	12
		79	-	0	52	68
		78	पी1	0	01	98
		80	-	0	34	20
		81	पी2	0	24	20
		82	पी3	0	08	19
		82	पी2	0	11	93
		98	-	0	28	51
	रास्ता खसरा संख्या 98 और 101 के बीच में			0	01	40
		101	-	0	08	55
		102	अ/पी1	0	16	03
		102	अ/पी2	0	07	84
		102	अ/पी3	0	07	84
		104	-	0	26	73
		117	पी1	0	63	50
		131	-	0	24	23
		130	-	0	06	60
		132	-	0	21	20
		133	-	0	09	80
		134	-	0	08	55
		135	पी2	0	09	44
		135	पी1	0	03	52
		135	पी3	0	05	88
		136	2	0	12	98
		136	1	0	08	50
	रास्ता खसरा संख्या 136/1 और 161 के बीच में			0	01	42
		161	-	0	27	44
		160	पी2	0	09	89
	रास्ता खसरा संख्या 160/पी2 और 159 के बीच में			0	04	63
		159	-	0	30	11
		158	-	0	08	55

तालूका : कांकरेज		जिला : बनासकांठा		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
5. रणकपुर		251	-	0	34	92
		253	1पी1	0	17	64
		255	पी1	0	31	57
		246	1पी1	0	23	52
		246	1पी2	0	15	14
	रास्ता खसरा संख्या 246/1/पी2 } और 266 के बीच में			0	05	48
		266	-	0	00	60
		156	-	0	15	03
		299	-	0	06	84
		300	-	0	18	53
		308	-	0	16	81
		303	पी1	0	00	47
		304	-	0	11	66
		307	-	0	34	21
		306	1	0	11	25
		315	-	0	08	19
		34	-	0	17	46
		33	पी1	0	18	53
		32	2	0	23	29
		32	1	0	04	50
		28	1	0	20	31
		27	पी1	0	11	84
	रास्ता खसरा संख्या 27/पी1 } और 66/1 के बीच में			0	01	78
		66	1	0	17	00
		65	-	0	09	77
		64	-	0	10	80
		68	पी2	0	23	51
		68	पी1	0	18	88
		74	-	0	16	80
	रास्ता खसरा संख्या 74 } और 73/1 के बीच में			0	01	40
		73	1	0	35	64
		71	1पी1	0	06	05
		92	पी1	0	32	40
		93	3	0	22	30
6. सदुजीवास		113	पी2	0	29	93
		116		0	09	44
		117		0	08	55
	रास्ता खसरा संख्या 117 } और 54 के बीच में			0	00	89

तालूका : कांकरेज		जिला : बनासकांठा		राज्य : गुजरात		
क्रम सं.	गोंद का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
6. सदुजीवास (जारी...)						
		54		0	31	18
		55		0	00	42
		59		0	17	28
		63	पी2	0	11	40
		63	पी1	0	08	91
		62		0	08	58
		64	1	0	00	30
		65		0	10	33
		66	2	0	13	18
		71	1	0	03	76
		67		0	16	03
		69	पी2	0	16	39
7. यरा						
		165	—	0	32	07
		164	3	0	08	19
		163	—	0	18	88
		161	3	0	20	49
		41	2पी1	0	13	18
		43	1	0	25	83
		44	—	0	14	96
		46	पी1	0	09	26
		47	—	0	18	50
		46	पी2	0	07	63
		48	1	0	02	35
		50	2पी2	0	08	19
		50	2पी1	0	08	37
		62	पी1	0	13	89
		61	—	0	16	03
		60	—	0	25	66
		59	—	0	12	11
		58	2	0	09	97
		58	3	0	08	55
		72	1	0	09	25
		72	2	0	11	40
8. ताना						
		16	—	0	09	23
	रास्ता नाना जामपुर ग्राम					
	सीमा और खसरा संख्या					
	223/1 के बीच में					
		223	1	0	14	25
		228	पी1	0	19	35
		230	1	0	02	35
		227	—	0	20	15
		231	2	0	12	83

तालूका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
8.	ताना (जारी...)	231	1	0	16	75
		217	1	0	12	58
		217	2	0	14	24
		214	-	0	14	07
		211	-	0	35	31
		212	1	0	01	56
		200	-	0	77	76
		100	अ/पी1	0	09	97
		100		0	23	52
		102	पी2	0	18	71
9.	नाना जामपुर	102	पी1	0	25	48
		101	1	0	05	33
		113	-	0	37	77
		117	-	0	34	92
		118	पी1	0	17	11
		118	पी2	0	08	19
		रास्ता खसरा संख्या 118/पी2 और 146/पी4 के बीच में		0	01	42
		146	पी4	0	01	76
		140	-	0	27	08
		139	1पी2	0	16	75
10.	आंबलुन	132	-	0	14	96
		131	-	0	18	53
		रास्ता ताना ग्राम सीमा और खसरा संख्या 131 के बीच में		0	01	60
		195	पी2	1	53	76
		187	-	0	24	94
		189	-	0	17	37
		188		0	05	40
		178	पी2	0	09	36
		178	पी1	0	10	44
		नाला खसरा संख्या 178/पी1 और 167 के बीच में		0	08	01
		167		0	13	59
		168		0	28	08
		170		0	14	94
		141	1	0	12	60
		141	2पी1	0	13	32
		140	-	0	24	59
		रास्ता खसरा संख्या 140 और 120/3 के बीच में		0	03	22

तालूका : कांकरेज		जिला : बनासकांठा		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
10. आंबलुन (जारी...)		120	3	0	01	41
		121	-	0	10	69
		123	पी1	0	20	67
		123	पी2	0	05	01
		122	-	0	05	01
11. यली (गंगापुर)		7	पी1	0	18	17
		7	पी3	0	13	86
		6	-	0	29	75
		8	1	0	16	50
		8	2	0	00	20
		14	पी1	0	16	75
		2	-	0	00	50
		13	-	0	16	50
		1	पी1	2	20	22
		57	-	0	23	52
12. आंगनवाडा		82	-	0	24	22
		81	-	0	09	84
		83	-	0	12	65
		80	1	0	12	40
		80	2	0	07	12
	रास्ता खसरा संख्या 80/2 और 85 के बीच में			0	03	50
		85	-	0	17	72
		86	1	0	14	25
		86	2	0	01	72
		106	1	0	00	30
		106	2	0	14	31
		105	-	0	10	40
		110	-	0	17	28
		111	-	0	06	59
		114	-	0	33	32
		125	2	0	05	95
		124	-	0	03	18
		116	-	0	08	20
		123	2	0	10	33
		123	1	0	00	30
		121	1	0	05	68
		121	2	0	07	28
		122	-	0	21	65
		120	पी1	0	08	83
		120	पी2	0	16	21
		141	1 पी1	0	07	12

तालूका : कांकरेज			जिला : बनासकांठा		राज्य : गुजरात	
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
12. आंगनवाडा (जारी...)						
		141	1पी2	0	07	30
		141	2	0	15	00
		145	-	0	06	52
		146	-	0	20	92
		165	-	0	17	18
		181	2	0	21	74
		182	-	0	11	58
		184	-	0	21	74
		209	-	0	22	23
		210	पी2	0	07	12
		208	-	0	24	41
		207	1	0	11	44
		207	2पी1	0	22	63
		206	-	0	12	83
		238	पी1	0	09	54
13. दुदासण						
	रास्ता सापरा ग्राम सीमा और खसरा संख्या 171 के बीच में			0	09	40
		171	-	0	14	96
		170	1	0	07	84
		170	2	0	07	30
		170	3पी1	0	09	05
		168	पी1	0	13	36
		153	-	0	23	54
		152	पी2	0	12	29
		151	-	0	12	47
		150	2	0	10	69
		149	-	0	07	84
		146	-	0	17	10
		145	-	0	08	26
		140	2	0	07	91
		141	1पी1	0	14	23
		121	-	0	19	60
	रास्ता खसरा संख्या 121 और 116/2 के बीच में			0	00	50
		116	2	0	10	58
		116	1पी2	0	12	47
		60	पी2	0	16	37
		60	पी1	0	15	68
		59	पी1	0	01	88
		24	-	0	14	96
		58	1पी1	0	05	70

तालूका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
1	2	3	4	हेक्टेयर	एयर	वर्ग मीटर
13. दुदासण (जारी...)		58	2पी1	0	07	66
		57	-	0	13	54
		46	-	0	14	43
		47	-	0	15	96
		39	-	0	09	62
		38	-	0	09	97
		37	1	0	17	03
		36	-	0	03	38
		रास्ता खसरा संख्या 36 और 279 के बीच में		0	03	38
		279	-	0	04	81
		278	-	0	01	06
		281	पी3	0	13	89
		281	पी2	0	12	71
		281	पी4	0	00	47
		302	पी1	0	21	38
		302	पी2	0	19	24
		303	1	0	12	11
		304	पी1	0	09	26
		305	पी2	0	17	10
14. लक्ष्मीपुरा		97	2	0	03	86
		97	1	0	00	20
		123	पी3	0	01	10
		98	1	0	09	97
		98	2	0	08	91
		99	-	0	09	32
		100	1	0	01	37
		102	-	0	31	36
		115	-	0	12	48
		146	1	0	10	87
		145	-	0	01	43
		210	पी1	0	19	06
		206	-	0	21	16
		209	पी2	0	15	68
		209	पी1	0	19	95
		207	-	0	00	50
15. कम्बोइ		103	-	0	17	10
		116	-	0	12	11
		147	पी1	0	12	83
		रास्ता लक्ष्मीपुरा ग्राम के खसरा संख्या 145 और खसरा संख्या 219/पी1 के बीच में		-	0	01
						42

तालूका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
15. कम्बोड़ (जारी...)		219.	पी1	0	11	40
		219	पी2	0	11	00
		219	पी3	0	12	83
		217	-	0	08	73
		220	1	0	18	71
		216	-	0	11	76
		208	पी1	0	53	91
		820	पी1	0	12	47
		833	-	0	17	46
		836	-	0	18	17
		837	पी2	0	06	80
		837	पी1	0	15	68
		845	पी1	0	11	53
		839	1	0	18	06
		839	2	0	00	25
		842	-	0	09	50
		843	3	0	04	75
	रास्ता खसरा संख्या 843/3 और 913 के बीच में			0	03	56
		913	-	0	21	38
		1643	3	0	17	82
		1646	-	0	13	36
		1647	-	0	14	61
		1648	-	0	12	11
		1651	-	0.	01	68
		1650	पी1	0	18	27
		1650	पी2	0	12	83
		1676	-	0	11	04
		1675	पी2	0	14	96
		1675	पी1	0	17	46
		1674	2	0	07	30
		1674	1	0	08	89
		1673	-	0	00	32
		1693	1	0	13	54
		1693	2	0	12	83
		1695	पी2	0	11	30
		1695	पी1	0	17	95
		1696	-	0	07	84
		1700	-	0	05	70
		1690	-	0	15	32
		1691	-	0	25	66
		1749	1 पी2	0	14	85

तालूका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
1	2	3	4	हेक्टेयर	एयर	वर्ग मीटर
15.	कम्बोइ (जारी...)	रास्ता खसरा संख्या 1749/1/पी2 और 1667/पी2 के बीच में		0	07	28
		1667	पी2	0	22	81
		1766	पी1	0	31	36
		1762	पी1	0	04	60
		1764	-	0	06	41
		1763	-	0	14	25
16.	रानेर	1452	-	0	14	46
		1411	-	0	10	75
		1412	-	0	09	67
		1408	2	0	04	27
		1407	1	0	06	34
		1407	2	0	06	00
		1413	-	0	04	63
		1406	-	0	09	19
		1405	2	0	00	94
		1405	1	0	13	00
		1404	-	0	01	37
		1397	-	0	26	01
		1385	-	0	03	30
		रास्ता खसरा संख्या 1385 और 1398 के बीच में		0	03	76
		1398	-	0	11	26
		रास्ता खसरा संख्या 1398 और 1349/पी3 के बीच में		0	03	75
		1349	पी3	0	18	53
		1345	पी1	0	15	68
		1346	पी1	0	18	54
		1312	पी1	0	13	54
		1311	-	0	20	31
		1302	-	0	04	26
		1300	1	0	04	29
		1301	-	0	13	55
		1181	-	0	13	54
		1182	पी1	0	17	53
		1155	पी1	0	15	00
		1154	पी1	0	15	68
		1153	-	0	06	77
		1150	-	0	10	33
		1149	-	0	04	30
		1135	-	0	19	95
		1134	-	0	00	60

तालूका : कांकरेज		जिला : बनासकांठ		राज्य : गुजरात		
क्रम सं.	गाँव का नाम	खसरा सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
16.	रानेर (जारी...)	1121	-	0	11	40
		1119	-	0	01	64
		1110	-	0	00	20
		1111	-	0	00	20
		1112	-	0	07	12
		1078	-	0	00	30
		1076	पी1	0	00	60

[फा. सं. आर-31015/38/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 28th June, 2005

S. O. 2326.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2913 dated the 3rd November, 2004, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India dated the 13th November, 2004, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the 24th December, 2004;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

SCHEDULE

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
1.	MANDLA	140	P1	0	29	93
		139	P4	0	11	58
		139	P3	0	21	38
		Cart track In between Survey Number.139/P3 & 123/P3		0	02	85
		123	P3	0	09	25
		125	-	0	29	58
		127	P1	0	23	52
		128	P4	0	24	05
		129	-	0	10	33
		Cart track In between Survey Number 129 & 19/1		0	01	78
		19	1	0	22	21
		18	P1	0	02	58
		19	2P1	0	01	56
		Cart track In between Survey Number. 19/2/P2&30/P2		0	05	70
		30	P1	0	00	96
		29	1P2	0	13	54
		29	2	0	15	95
		28	-	0	43	69
		22	P1	0	01	96
		23	-	0	32	24
		14	P1	0	33	67
		Cart track In Survey Number. 14/P1		0	01	42
		590	-	0	12	12
		593	P2	0	01	76
		593	P1	0	10	53
		593	P3	0	06	24
		594	P1	0	29	72
		582	P2	1	28	55
		581	P2	0	29	40
		580	P3	0	18	99
		580	P1	0	16	75
		579	P1	0	34	56
2.	JOTADA	66	-	0	41	34
		Cart track In between Survey Number.66 & 68		0	01	06

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
2.	JOTADA (Contd...)	68	-	0	40	21
		84	P1	0	40	57
		72	-	0	10	87
		73	-	0	31	86
3.	JAKHEL	188	P1	0	61	47
		188	P9	0	18	53
		188	P5	0	00	20
4.	NEKRIYA	62	P1	0	31	35
		64	1P2	0	20	31
		65	1	0	00	12
		79	-	0	52	68
		78	P1	0	01	98
		80	-	0	34	20
		81	P2	0	24	20
		82	P3	0	08	19
		82	P2	0	11	93
		98	-	0	28	51
		Cart track In between Survey Number.98 & 101		0	01	40
		101	-	0	08	55
		102	AP1	0	16	03
		102	AP2	0	07	84
		102	AP3	0	07	84
		104	-	0	26	73
		117	P1	0	63	50
		131	-	0	24	23
		130	-	0	06	60
		132	-	0	21	20
		133	-	0	09	80
		134	-	0	08	55
		135	P2	0	09	44
		135	P1	0	03	52
		135	P3	0	05	88
		136	2	0	12	98
		136	1	0	08	50
		Cart track In between Survey Number.136/1 & 161		0	01	42
		161	-	0	27	44
		160	P2	0	09	89
		Cart track In between Survey Number.160/P2 & 159		0	04	63
		159	-	0	30	11
		158	-	0	08	55

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
5.	RANAKPUR	251	-	0	34	92
		253	1P1	0	17	64
		255	P1	0	31	57
		246	1P1	0	23	52
		246	1P2	0	15	14
		Cart track In between Survey } Number 246/1/P2 & 266		0	05	48
		266	-	0	00	60
		156	-	0	15	03
		299	-	0	06	84
		300	-	0	18	53
		308	-	0	16	81
		303	P1	0	00	47
		304	-	0	11	66
		307	-	0	34	21
		306	1	0	11	25
		315	-	0	08	19
		34	-	0	17	46
		33	P1	0	18	53
		32	2	0	23	29
		32	1	0	04	50
		28	1	0	20	31
		27	P1	0	11	84
		Cart track In between Survey } Number. 27/P1 & 66/1		0	01	78
		66	1	0	17	00
		65	-	0	09	77
		64	-	0	10	80
		68	P2	0	23	51
		68	P1	0	18	88
		74	-	0	16	80
		Cart track In between } Survey Number. 74 & 73/1		0	01	40
		73	1	0	35	64
		71	1P1	0	06	05
		92	P1	0	32	40
		93	3	0	22	30
6.	SADUJIVAS	113	P2	0	29	93
		116		0	09	44
		117		0	08	55
		Cart track In between } Survey Number. 117 & 54		0	00	89

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
6.	SADUJIVAS (Contd...)	54		0	31	18
		55		0	00	42
		59		0	17	28
		63	P2	0	11	40
		63	P1	0	08	91
		62		0	08	58
		64	1	0	00	30
		65		0	10	33
		66	2	0	13	18
		71	1	0	03	76
		67		0	16	03
		69	P2	0	16	39
7.	THARA	165	-	0	32	07
		164	3	0	08	19
		163	-	0	18	88
		161	3	0	20	49
		41	2P1	0	13	18
		43	1	0	25	83
		44	-	0	14	96
		46	P1	0	09	26
		47	-	0	18	50
		46	P2	0	07	63
		48	1	0	02	35
		50	2P2	0	08	19
		50	2P1	0	08	37
		62	P1	0	13	89
		61	-	0	16	03
8.	TANA	60	-	0	25	66
		59	-	0	12	11
		58	2	0	09	97
		58	3	0	08	55
		72	1	0	09	25
		72	2	0	11	40
		16	-	0	09	23
		Cart track In between village boundary of Nana Jampur & Survey Number.223/1		0	01	56
		223	1	0	14	25
		228	P1	0	19	35
		230	1	0	02	35
		227	-	0	20	15
		231	2	0	12	83

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT			
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area			
				Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	7	
8.	TANA (Contd...)	231	1	0	16	75	
		217	1	0	12	58	
		217	2	0	14	24	
		214	-	0	14	07	
		211	-	0	35	31	
		212	1	0	01	56	
		200	-	0	77	76	
9.	NANA JAMPUR	100	AP1	0	09	97	
		100		0	23	52	
		102	P2	0	18	71	
		102	P1	0	25	48	
		101	1	0	05	33	
		113	-	0	37	77	
		117	-	0	34	92	
		118	P1	0	17	11	
		118	P2	0	08	19	
		Cart track In between Survey Number.118/P2&146/P4			0	01	42
		146	P4	0	01	76	
		140	-	0	27	08	
		139	1P2	0	16	75	
		132	-	0	14	96	
		131	-	0	18	53	
Cart track In between Survey Number.131 Village boundary of Tana		-	0	01	60		
10.	AMBLUN	195	P2	1	53	76	
		187	-	0	24	94	
		189	-	0	17	37	
		188		0	05	40	
		178	P2	0	09	36	
		178	P1	0	10	44	
		Nala In between Survey Number.178/P1 & 167			0	08	01
		167		0	13	59	
		168		0	28	08	
		170		0	14	94	
		141	1	0	12	60	
		141	2P1	0	13	32	
		140	-	0	24	59	
		Cart track In between Survey Number.140 & 120/3		-	0	03	22

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
10. AMBLUN (Contd...)		120	3	0	01	41
		121	-	0	10	69
		123	P1	0	20	67
		123	P2	0	05	01
		122	-	0	05	01
11. THALI (GANGAPUR)		7	P1	0	18	17
		7	P3	0	13	86
		6	-	0	29	75
		8	1	0	16	50
		8	2	0	00	20
		14	P1	0	16	75
		2	-	0	00	50
		13	-	0	16	50
		1	P1	2	20	22
		57	-	0	23	52
12. ANGANWADA		82	-	0	24	22
		81	-	0	09	84
		83	-	0	12	65
		80	1	0	12	40
		80	2	0	07	12
		Cart track In between Survey Number 80/2 & 85-		0	03	50
		85	-	0	17	72
		86	1	0	14	25
		86	2	0	01	72
		106	1	0	00	30
		106	2	0	14	31
		105	-	0	10	40
		110	-	0	17	28
		111	-	0	06	59
		114	-	0	33	32
		125	2	0	05	95
		124	-	0	03	18
		116	-	0	08	20
		123	2	0	10	33
		123	1	0	00	30
		121	1	0	05	68
		121	2	0	07	28
		122	-	0	21	65
		120	P1	0	08	83
		120	P2	0	16	21
		141	1P1	0	07	12

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT			
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area			
				Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	7	
12. ANGANWADA (Contd...)		141	1P2	0	07	30	
		141	2	0	15	00	
		145	-	0	06	52	
		146	-	0	20	92	
		165	-	0	17	18	
		181	2	0	21	74	
		182	-	0	11	58	
		184	-	0	21	74	
		209	-	0	22	23	
		210	P2	0	07	12	
		208	-	0	24	41	
		207	1	0	11	44	
		207	2P1	0	22	63	
		206	-	0	12	83	
		238	P1	0	09	54	
	13. DUDASAN		Cart track In between Village boundary of Sapara & Survey Number.171	-	0	09	40
			171	-	0	14	96
			170	1	0	07	84
			170	2	0	07	30
		170	3P1	0	05	05	
		168	P1	0	13	36	
		153	-	0	23	54	
		152	P2	0	12	29	
		151	-	0	12	47	
		150	2	0	10	69	
		149	-	0	07	84	
		148	-	0	17	10	
		145	-	0	08	26	
		140	2	0	07	91	
		141	1P1	0	14	23	
		121	-	0	19	60	
		Cart track In between Survey Number.121 & 116/2	-	0	00	50	
		116	2	0	10	58	
		116	1P2	0	12	47	
		60	P2	0	16	37	
		60	P1	0	15	68	
		59	P1	0	01	88	
		24	-	0	14	96	
		58	1P1	0	05	70	

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT			
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area			
				Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	7	
13. DUDASAN (Contd...)		58	2P1	0	07	66	
		57	-	0	13	54	
		46	-	0	14	43	
		47	-	0	15	96	
		39	-	0	09	62	
		38	-	0	09	97	
		37	1	0	17	03	
		36	-	0	03	38	
		Cart track In between Survey No.36 & 279	}	-	0	03	38
		279		-	0	04	81
		278	-	0	01	06	
		281	P3	0	13	89	
		281	P2	0	12	71	
		281	P4	0	00	47	
		302	P1	0	21	38	
		302	P2	0	19	24	
		303	1	0	12	11	
		304	P1	0	09	26	
		305	P2	0	17	10	
	14. LAXMIPURA		97	2	0	03	86
			97	1	0	00	20
			123	P3	0	01	10
			98	1	0	09	97
			98	2	0	08	91
			99	-	0	09	32
			100	1	0	01	37
		102	-	0	31	36	
		115	-	0	12	48	
		146	1	0	10	87	
		145	-	0	01	43	
		210	P1	0	19	06	
		206	-	0	21	16	
		209	P2	0	15	68	
		209	P1	0	19	95	
		207	-	0	00	50	
15. KAMBOI			103	-	0	17	10
			116	-	0	12	11
			147	P1	0	12	83
			Cart track In between Survey Number. 145 of village laxmipura and 219/P1	}	-	0	01

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
15. KAMBOI (Contd...)		219	P1	0	11	40
		219	P2	0	11	00
		219	P3	0	12	83
		217	-	0	08	73
		220	1	0	18	71
		216	-	0	11	76
		208	P1	0	53	91
		820	P1	0	12	47
		833	-	0	17	46
		836	-	0	18	17
		837	P2	0	06	80
		837	P1	0	15	68
		845	P1	0	11	53
		839	1	0	18	06
		839	2	0	00	25
		842	-	0	09	50
		843	3	0	04	75
		Cart track In between Survey Number.843/3 and 913		0	03	56
		913	-	0	21	38
		1643	3	0	17	82
		1646	-	0	13	36
		1647	-	0	14	61
		1648	-	0	12	11
		1651	-	0	01	68
		1650	P1	0	18	27
		1650	P2	0	12	83
		1676	-	0	11	04
		1675	P2	0	14	96
		1675	P1	0	17	46
		1674	2	0	07	30
		1674	1	0	08	89
		1673	-	0	00	32
		1693	1	0	13	54
		1693	2	0	12	83
		1695	P2	0	11	30
		1695	P1	0	17	95
		1696	-	0	07	84
		1700	-	0	05	70
		1690	-	0	15	32
		1691	-	0	25	66
		1749	1P2	0	14	85

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
15.	KAMBOI (Contd...)	Cart track In between Survey Number.1749/1/P2 and 1667/P2		0	07	28
		1667	P2	0	22	81
		1766	P1	0	31	36
		1762	P1	0	04	60
		1764	-	0	06	41
		1763	-	0	14	25
16.	RANER	1452	-	0	14	46
		1411	-	0	10	75
		1412	-	0	09	67
		1408	2	0	04	27
		1407	1	0	06	34
		1407	2	0	06	00
		1413	-	0	04	63
		1406	-	0	09	19
		1405	2	0	00	94
		1405	1	0	13	00
		1404	-	0	01	37
		1397	-	0	26	01
		1385	-	0	03	30
		Cart track In between Survey Number.1385 and 1398		0	03	76
		1398	-	0	11	26
		Cart track In between Survey Number.1398 and 1349/P3		0	03	75
		1349	P3	0	18	53
		1345	P1	0	15	68
		1346	P1	0	18	54
		1312	P1	0	13	54
		1311	-	0	20	31
		1302	-	0	04	26
		1300	1	0	04	29
		1301	-	0	13	55
		1181	-	0	13	54
		1182	P1	0	17	53
		1155	P1	0	15	00
		1154	P1	0	15	68
		1153	-	0	06	77
		1150	-	0	10	33
		1149	-	0	04	30
		1135	-	0	19	95
		1134	-	0	00	60

Taluk : KANKREJ		District : BANASKANTHA		State : GUJARAT		
Sr. No.	Name of Village	Survey no.	Sub-Division No.	Area		
				Hectare	Are	Sq.mtr.
1	2	3	4	5	6	7
16. RANER(Contd...)		1121	-	0	11	40
		1119	-	0	01	64
		1110	-	0	00	20
		1111	-	0	00	20
		1112	-	0	07	12
		1078	-	0	00	30
		1076	P1	0	00	60

[No. R-31015/38/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 30 जून, 2005

का. आ. 2327.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, नीचे दी गई अनुसूची के स्तम्भ (1) में उल्लिखित व्यक्ति को, मध्य प्रदेश राज्य में, उक्त अनुसूची के स्तम्भ (2) में उल्लिखित क्षेत्र की बाबत उस राज्य में अवस्थित विभिन्न उपभोक्ताओं को प्राकृतिक गैस वितरण के लिए मैसर्स गेल (इण्डिया) लिमिटेड द्वारा गैस पाइपलाइन बिछाने के लिए उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए प्राधिकृत करती है।

अनुसूची

व्यक्ति का नाम और पता	अधिकारिता का क्षेत्र
(1)	(2)
श्री पी.एस. कर्मा, उप कलेक्टर, मैसर्स गेल (इण्डिया) लिमिटेड में मानदेय आधार पर गेल कम्प्रेसर स्टेशन, गेयलर कलां, जिला - झाबुआ (मध्य प्रदेश) पिन : 457661	मध्य प्रदेश राज्य का झाबुआ जिला

[फा. सं. एल-14014/15/05-जी.पी.]
स्वामी सिंह, निदेशक

New Delhi, the 30th June, 2005

S. O. 2327.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby authorize the person mentioned in column (1) of the Schedule below to perform the functions of the Competent Authority under the said Act for laying of the gas pipeline by M/s. GAIL (India) Limited in the State of Madhya Pradesh for distribution of natural gas to various consumers located in that State in respect of the areas mentioned in column (2) of the said Schedule.

Schedule

Name and Address of the person	Area of Jurisdiction
(1)	(2)
Shri P.S. Karma, Dy. Collector, on honorarium basis to M/s. GAIL (India) Limited, GAIL Compressor Station, Gaylor Kalan, Distt. Jhabua, (Madhya Pradesh) Pin : 457661	District Jhabua of Madhya Pradesh State

[F. No. L-14014/15/05-G.P.].
SWAMI SINGH, DIRECTOR

श्रम मंत्रालय

नई दिल्ली, 7 जून, 2005

का. आ. 2328.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या आई.डी. सं. 1/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-12012/307/2000-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 7th June, 2005

S.O. 2328.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 1/2001) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 6-6-2005.

[No. L-12012/307/2000-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW****PRESENT:**

SHRIKANT SHUKLA,
PRESIDING OFFICER

I. D. No. 1/2001

Ref. No. L-12012/307/2000-IR (B-I) dated : 29-12-2000

BETWEEN:

Shri Krishan Gopal Mishra S/o
Late Kanhiya Lal Mishra. H. No. 9/498.
Mahadev Vali Gali, Moti Katra. Agra (U.P.)

And

1. The Asstt. General Manager,
State Bank of India, Chipitola,
Agra (U.P.) 282001
2. The Dy. General Manager,
State Bank of India, Zonal Office
Sanjay Placc. Agra (U.P.) 282001

AWARD

The Government of India, Ministry of Labour vide its order No. L-12012/307/2000-IR (B-I) dated : 29-12-2000 referred the following dispute for adjudication to the Presiding Officer, CGIT-cum-Labour Court, Lucknow:

“WHETHER THE ACTION OF THE MANAGEMENT OF STATE BANK OF INDIA. AGRA IN TERMINATING THE SERVICES OF SRI KRISHAN GOPAL MISHRA w.e.f. 9-7-99 IS LEGAL AND JUSTIFIED ? IF NOT, TO WHAT RELIEF THE WORKMAN IS ENTITLED ?”

Worker's case in brief is that he was employed in the Chipitola Branch of State Bank of India on 1-5-99 and continued to be employed till 9-7-99 & was paid on daily wage basis at the end of the month. His work include cleaning of the table & chairs, providing water, carrying register from one table to another, taking out the files, delivering letters to other brances besides other works of the peon. Worker brought the case for regularisation on 21-6-99, through the trade union. Case was subsequently withdrawn as trade union told him that because of the termination, the case cannot proceed for regularisation, but shall proceed for reinstatement. Accordingly this case was initiated. As the worker continuously worked for 240 days in every year, his services were protected under section 25 F, G, H & N read with section 25 B. Worker has therefore prayed that the court should hold that the termination dt. 9-7-99 is illegal & unjustified & he should be reinstated with continuity of service with back wages.

Opposite party has denied the worker's claim. Opposite party has alleged that the person Krishan Gopal Mishra is not a worker under the provisions of Industrial Disputes Act, nor the dispute is an Industrial Dispute. There are prescribed rules for recruitment of employees. Among the rules are that the vacancies are advertised in the newspapers. Employees registered at the employment exchange are considered. Selection committee is formed. The said committee conducts the recruitment proceedings. Those qualified for the post are called for the interview & the selection committee prepares the list of selected candidates. The bank management issues appointment letters according to the need. Appointed employee is kept on probation for 6 months and after the successful completion of the term the employee is confirmed. But Sri Krishan Gopal Mishra is not the selected employee & therefore the plea that he was terminated is imaginary. It is also alleged that the claim is not maintainable. It is further alleged that Sri Krishan Gopal Mishra alongwith his associates Sri Adarash Vastmai, Satish Kumar & Mahavir used to supply water on contract basis. All above persons have been paid for the contract as per following schedule:

Krishan Gopal	Adarash Vastmai	Mahavir	Satish
Feb. 98	April 99	Dec. 97	April 98
Mrach 98	Jan. 99	Jan. 98	May 98
Sept. 98		July 98	
Oct. 98		August 98	
Nov. 98		Jan. 99	
April 99			

It is admitted by the management that the case was filed before Asst. Labour Commissioner (C), Kanpur for regularisation & the same was withdrawn subsequently. It is alleged that the worker was not the employee of the bank nor was entitled for benefits admissible to the bank employees. It is also denied that the worker's attendance was taken. Worker has concealed to spell the rates on which he was paid. It has also been specifically denied that the bank management has taken the work of IVth class employees or peon.

The bank management has denied that the Sanjay, Surendra & Sheo Ram were made permanent & thereafter transferred. It is submitted that the said persons were appointed under prescribed recruitment procedure which shall be evident from their appointment letters.

Sri Krishan Gopal Mishra has filed rejoinder. It is not stated in the rejoinder that he was recruited/appointed after observing the prescribed procedure of the bank. Sri Mishra has reiterated the plea taken in the statement of claim.

Sri Krishan Gopal Mishra has filed following photo copies of documents:

1. The extract of advertisement published in news papers.
2. The extract of advertisement published in news papers.
3. Application of Sri Krishan Gopal Mishra contractor dt. 2-3-98 together with the banker's cheque for the amount of Rs. 3600/-
4. Application of Mahavir claiming for labour charges of Rs. 8/- dt. 16-8-97.
5. Statement from 1st Jan. 95 to Dec., 98 showing receipt for amount & showing the purpose of this payment.
6. Bill of Krishan Gopal Mishra dt. 3-10-97 for Rs. 10/-
7. Receipt of labour charges of Rs. 20/- purported to be signed by Krishan Gopal Mishra dt. 12-3-97, 14-3-97, 8-5-97.
8. Paper showing payment of Krishan Gopal on 12-6-97.
9. Receipt of Rs. 30/- dt. 14-6-97 of Krishan Gopal Mishra.
10. Application for payment of Rs. 70/- dt. 8-10-97.
11. Application for payment of Rs. 20/- dt. 2-12-97
12. Application for payment of Rs. 12/- dt. 30-1-99.

13. Application of Krishan Gopal contractor dt. 3-4-99 for payment of Rs. 3600/- for providing water in the month of March 99.
14. Unsigned statement of providing water.
15. Cash memo for charcoal & rikshaw fare dt. 14-1-99.
16. Application for providing water for the month of June 99 amounting to Rs. 3600/-
17. Copy of Joint application addressed to Asstt. Labour commissioner, Agra undated.
18. Copy of Joint application 3-2-99 addressed to Dy. General Manager, SBI Agra.
19. Copy of letter of AINTUC, Agra dt. 25-6-99 addressed to ALC(C) Kanpur dt. 21-6-99.
20. Bill of Satish Kumar for Rs. 30/- dt. 5-5-97.
21. Certificate for permission to go home undated.

The Opposite party has filed following documents (photo copies):

1. Bill dt. 2-3-98 of Krishan Gopal Mishra for Rs. 3600/-
2. Banker's cheque dt. 2-3-98.

On demand by the Presiding Officer the Branch Manager (Barhan Branch of SBI) Sri Raj Kumar filed following documents;

1. Statement of account of staff canteen managed by local Implementation Committee from 1-1-95 to 31-12-99.
2. Statement of Water & Farrash Job contract Jan. 95 to June 99.
3. Statement of contract for cleaning of furniture & throwing out garbage.

Opposite party has filed following documents in original:

1. B.C. No. 23537 for Rs. 3600/- in the name of Krishan Gopal Mishra contractor dt. 2-3-98 with slip & bill of the Krishna Gopal Contractor dt. 2-3-98.
2. B.C. No. 399762 dt. 3-10-98 for Rs. 2400/- in the name of Manmohan contractor along with the slip & bill of Manohar.
3. Slip dt. 1-10-97 along with the bill amounting to Rs. 1800/- for collecting & throwing garbage for the month of Sept. 97 of Man Mohan

Sri Krishan Gopal Mishra besides filing his own affidavit & also filed the affidavits of Tejpal Singh, Mahavir Singh & they have been cross examined. Opposite party has filed the affidavit of Branch Manager Sh. Raj Kumar & he has been cross examined.

Parties have filed the written arguments. Perused arguments & evidence on record carefully.

Worker has no where in his statement of claim has stated that he was recruited as per prescribed procedure of the bank. On the contrary the other hand Krishan Gopal Mishra has admitted in the cross examination that his name was not forwarded by the employment exchange. He has stated in his cross examination that he was getting Rs. 600/- per month as wages & he has denied that he was daily wage earner. He has also admitted that his attendance was not marked in register.

It is noteworthy that the worker did not disclose his monthly salary in his statement of claim.

Worker has filed photo copy of his own application addressed to Asstt. General Manager SBI, Chhipitola, Agra dt. 2-3-98 that he be paid Rs. 3600/- for supply of water. Applications has been signed by Krishan Gopal Mishra, Thekadar. The documents shows his status as contractor. The document shows that he supplied water from outside the bank in the month of Feb. Sri Krishna Gopal received the amount as well discharging himself as thekadar.

I have perused the statement of payment. The photo copy of which have been filed by the Krishan Gopal Mishra. The payment to the said person has been made on the following dates :

Period	Dates	Amount
July 97	1-8-97	3600
August	1-9-97	3600
Sept. 97	1-10-97	3600
Oct. 97	28-10-97	3600
Nov. 97	1-12-97	3600
Dec. 97	1-1-98	3600
Jan. 98	2-2-98	3600
Feb. 98	2-3-98	3600
August	Sept. 98	3600
Sept. 98	2-11-98	3600
Dec. 98	1-1-99	3600

From other photo copies of the documents following facts also reveal:

1. Sri Krishna Gopal Mishra has been paid Rs. 10/- as labour charge displacing cooler & cleaning thereof. **3-10-97**
2. Sri Krishna Gopal demanded Rs. 20/- for shifting Almirah from one place to another **10-3-97**
3. Bill of Krishna Gopal for shifting Almirah amounting to Rs. 20/- **14-3-97**

4. Bill of Krishan Gopal for shifting Almirah amounting to Rs. 20/- **8-5-97**
5. Payment of Rs. 18 for the bill dt. 11-6-97 **12-6-97**
6. Bill for opening the petty amounting to Rs. 30/- **14-6-97**
7. Bill for cleaning the tank for Rs. 50/- **23-6-97**
8. Bill for Rs. 70/- for labour charges & rikshaw fare for shifting furniture to the residence of Sri R.D. Sharma. **18-10-97**
9. Bill for shifting ledger labour charges Rs. 20/- **2-12-97**
10. Bill for going to telegraph office **20-1-99**
11. Bill for providing water by Krishan Gopal amounting to Rs. 3600/- for the month of March, 1999 **3-4-99**
12. Bill for the supply of water for the month of June, 1999 to Krishan Gopal Thekadar **1-7-99**

Documents speaks of its nature and contrary to contents can not be believed. The last bill is dated 1-7-99 which pertains to the year month of June, 1999

From the documents of the opposite party it is also clear that Sri Krishan Gopal also supplied water in the month of March 1999, April 1999, May 1999.

There is not a single document which can show that Krishan Gopal Mishra was ever paid Rs. 600/- per month as the worker has tried to say in the cross examination.

In case the worker was discharging the duties of peon, he should not have billed the opposite party for carrying ledger from one place to another or for shifting tables etc. Charging labour charges for misclanious work for a few days shows that he was not at all discharging the duties of peon as claimed by Sri Krishan Gopal Mishra.

Photo copy of the advertisement has been filed on behalf of Sri Krishan Gopal Mishra. The said document is not authentic. However, on bare reading it is regarding providing opportunity to the temporary & daily wagger who were employed as such between 1-7-95 to 31-7-88 & who were between the age group of 18 to 26 year at the time of initial appointment. Provided further such workers have put in 240 working days in one calander year or 270 days continuous working in 36 calander month. By second notice those employed between 1-7-75 to 14-8-91 were to be considered.

In the para 12 of he statement of claim the Sri Krishan Gopal Mishra has stated that he worked in the bank from 1-5-85 to 9-7-99. The said statement of claim is accompanied by the affidavit in which the worker first declared his age & subsequently changed to 29 years. Subsequently worker filed another affidavit on 12-4-2002 stating that he was initially duly selected & appointed as regular peon/messenger on 9-7-99 by the

management of State Bank of India. In subsequent para 6 it is stated that appointment letter was not supplied to him.

Although the worker has tried to say that his wages were Rs. 600/- per month but in another application dt. 1-8-2001 he has stated his salary as Rs. 900/- Consolidated. This application is also accompanied by affidavit.

This shown that the worker has come to court with imaginary allegations of salary & the date of his initial engagement. Opposite party Bank is nationalised bank of the country, no one can ever believe that a regular appointed person will not be provided the appointment letter. The photo copy of advertisement filed by Krishan Gopal Mishra is of no help to him.

Sri Krishan Gopal Mishra has to prove the allegation of his statement of claim that he was employed as workman. Although in para 2 of the affidavit dt. 12-4-2002, he has stated that he was initially duly selected appointed/engaged as regular peon/messenger on 9-7-99 by the management of State Bank of India, Chhipitola Agra for performing regular perenial work, but this can not be taken to be true in absence of any appointment letter. Had he been appointed as alleged by him, why the trade union shall file a case for regularisation. Sri Krishan Gopal Mishra's own documents make it clear that he was not the regularly appointed employee of the Bank. More over he has himself admitted that he was neither interviewed or nor his name was forwarded by the employment Exchange.

The Bank's representative has argued that whenever Sri Mishra rendered any service as a contractor payment for the same was made to him & at the same time whenever the work of casual or temporary nature is taken, wages for the day or the work are paid on the basis of the volume of work. Accordingly on a few days the worker was paid for casual work as is evident from the documents the details for which have been given at page no. 5 & 6.

Management representative has also argued that Sri Tejpal & Mahavir Singh have filed their affidavits in which they have twisted the facts and also stated false events otherwise they have made such statements only with a view to favour Sri Krishan Gopal Mishra although they cannot be said to be competent witness to state these facts which cannot by any imagination be in their knowledge. Sri Tejpal Singh who was in subordinate cadre cannot derive knowledge about the nature of appointment or engagement of concerned person Sri Krishan gopal Mishra. As far as Sri Mahabir Singh's evidence is concerned the representative of the management has argued, that even he was never appointed engaged as regular peon/messenger nor he never performed regular

or perennial work. Regarding Experience Certificate, representative has argued that it is undated in as much as it appears that the said annexure relates too curfew pass for the issuance of which alleged Branch Manager has or had no authority. Accordingly the said letter is fabricated document. Sri Mahabir Singh was never a permanent employee.

In the present case the volumes of the documents filed by the parties explains the nature of job/work to executed by Sri Krishan Gopal Mishra and it does not need explanation. The documents do not show that Sri Krishan Gopal Mishra was a regular peon/messenger of the State Bank of India. He was even not a regular or casual worker. There existed no relationship of employer and employee between the parties. The industry has to resort to such petty contractors in the interest of the industry, such as water supply, collecting and disposing garbage etc.

In the circumstances I come to the conclusion that Sri Krishan Gopal Mishra was not the employee of the Bank and therefore there arise no question of termination of his services. Issue answered in favour of the management. Worker therefore is not entitled for any relief.

Lucknow

26-5-2005

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 7 जून, 2005

का. आ. 2329.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1 चंडीगढ़, के पंचाट (संदर्भ संख्या आई.डी. सं. 183/1991) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-41012/22/91-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2329.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. No. 183/1991) of the Central Government Industrial Tribunal/Labour Court-1 Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 06-06-2005.

[No. L-41012/22/91-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH**

Case No. I.D.-183/1991

Shri Madan Lal
C/o General Secretary,
Northern Railway Karamchari Union,
T4A, Railway Quarter Bhagatwala,
Amritsar

Applicant

Versus

- (1) General Manager,
Northern Railway,
Baroda House, New Delhi.
- (2) The Deputy Chief Mechanical Engineer,
Mechanical Workshop,
Uttar Rly. Amritsar.
- (3) Divisional Railway Manager,
Uttar Rly. Ferozepur Cantt.
(Punjab)

Respondents

APPEARANCES

For the workman : None for workman or Lrs. or
AR of the workman

For the management : Shri P.P. Khurana Advocate

AWARD**Passed on 16-5-2005**

Central Govt. vide notification No. L-41012/22/91/IR
(D.U.) dated 5-12-1991 has referred the following dispute
to this Tribunal for adjudication :

“Whether the action of the management of Northern
Railway in imposing upon Shri Madan Lal, the
penalty of withholding increment temporarily for one
year is justified as a result of final orders passed vide
letter No. 727-E/D-38(Ei) POT. I dated 11-2-1985? If
not, what relief the workman is entitled to and from
what date?”

2. One AD card received back duly served and received
by Subhash Talwar, General Secretary who is appearing for
the workman he did not appear. Management advocate
Sh. Khurana submit that as none is appearing for the
workman since 1-10-03 thereafter 1-4-04, 12-5-04, 28-10-04,
5-1-05, 21-3-05, 11-04-05 and today and it appears that
workman's LRs are not interested nor the representative
who has been duly served for today is present. Workman
also expired and it is a petty matter of withholding one
increment for one year and there is no fresh ground of
relief has been made by the workman or his LRs for the
consideration for the relief as the workman is dead.

3. In view of the above submission of Sh. P.P. Khurana
Id. Advocate of the management and my persual of record

I found that reference is for imposing of penalty of
withholding increments temporarily for one year and there
is not much monetary gain to the LRs of the workman his
AR is also not appearing and similar is the case of his LRs.
I have also verified that on earlier dates also his AR not
appeared and has also not appeared today. It appears that
no one is interested to pursue the present reference for
copy anymore therefore, the present reference is returned
to the Central Govt. for want of prosecution Central Govt.
be informed. File be consigned to the Record Room.
Announced.

16-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 7 जून, 2005

का. आ. 2330.— औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ
इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच,
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण सं. I, धनबाद के पंचाट (संदर्भ संख्या 74 का 1997) को
प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त
हुआ था।

[सं. एल-12011/62/95-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2330.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby publishes the award (Ref. No. 74 of
1997) of the Central Government Industrial Tribunal
No.-I Dhanbad now as shown in the Annexure in the
Industrial Dispute between the employers in relation to
the management of State Bank of India and their
workman, which was received by the Central Government
on 06-06-2005.

[No. L-12011/62/95-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD.**

In the matter of a reference U/s. 10(1) (d) of the I.D. Act.

Reference No. 74 of 1997

Parties: Employers in relation to the management of
A.G.M. State Bank of India, Ranchi.

AND

Their Workmen

PRESENT

Shri S. Prasad,
Presiding Officer

APPEARANCES:

For the Employers : Shri R.N. Ganguly, Advocate.

For the Workman : None

State : Jharkhand.

Industry : Bank

Dated, the 16th May, 2005

AWARD

By Order No. L-12011/62/95-IR (BI) dated 11-3-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of State Bank of India management in not paying the regular scale of that cadre to the concerned workmen (S/Shri R.P. Dubey, H.N. Bharti, Ali Mohammad, R. Singh and S. Mahli) and not regularising them in Bank's service even after putting continuous 10 years of service is proper and justified? If not, to what relief the concerned workmen are entitled to?”

2. This reference was received by this Tribunal on 1-4-97 and written statement was filed on behalf of the workmen on 27-8-97. Thereafter none is appearing on behalf of the workmen, though several opportunities were given to them. Despite notice none had appeared even on 10-5-2005. It therefore appears that neither the concerned workmen nor the sponsoring union is interested to proceed with the case.

3. In such circumstances, I render a 'No Dispute' Award in the present reference case.

S. PRASAD, Presiding Officer

नई दिल्ली, 7 जून, 2005

का. आ. 2331.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या का 38 आफ 2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-12012/14/2004-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2331.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID No. 38 of 2004) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their

workman, which was received by the Central Government on 06-06-2005.

[No. L-12012/14/2004-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE SRI SURESH CHANDRA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LOKADALAT, SARVODAYA NAGAR, KANPUR

Industrial Dispute No. 38 of 2004

In the matter of dispute between :

Sri Vinod Kumar Gaur,
S/o Sri Gorakhnath Gaur,
105/272, Sisamau,
Kanpur.

And

The Manager,
State Bank of Indore,
Branch Gumti No. 5,
Kanpur.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/14/2004/IR (B-I) dt. 13-5-2004 has referred the following dispute for adjudication to this tribunal :

Kya prabandhan State Bank of Indore, Kanpur dwara Sri Vinod Kumar Gaur Atmaj Sri Gorkhnath ko dinank 6-11-2002 se sewa samapta kiyajana nyayochit hai? Yadi nahi to sambandhit karmkar kis anutosh ka haqdar hai?

2. In the instant dispute after receipt of reference from the Ministry repeated notices through registered post were sent to the concerned workman for filing of his statement of claim in support of his case. But neither the workman turned up nor filed his statement of claim. Management put their appearance in the case by way of filing letter of authority on behalf of Sri Neeraj Sharma. It therefore appears that the workman is not interested in prosecuting his case any more. Therefore, the tribunal is left with no other option but to hold that the concerned workman is not entitled for any relief for want of pleading and proof.

3. Reference is therefore decided against the workman and in favour of the management.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 8 जून, 2005

का. आ. 2332.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, सी.आई.पी.ई.टी. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ (संदर्भ संख्या 118/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-6-2005 को प्राप्त हुआ था।

[सं. एल-42012/17/2000-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 8th June, 2005

S.O. 2332.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 118/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Institute of Plastic Engineering and Technology and their workman, which was received by the Central Government on 08-06-2005.

[No. L-42012/17/2000-IR(C-II)]

N.P. KESAVAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present :

Shrikant Shukla, Presiding Officer

I. D. No. 118/2001

Ref. No. L-42012/17/2000-IR(C-II) dt. 6-7-2001

Between :

Rakesh Kumar Sahu S/o Pal Sahu
through Om Narayan Sahu, Ex-General
Secretary, Lok Mazdoor Sabha, UP
F-3351, Rajaji Puram, Lucknow

And

The Dy. Director, CIPE & Technology
B-27, Amasoi Industrial Area, Kanpur
Road, Lucknow

AWARD

The Government of India, Ministry of Labour referred the following dispute to Presiding Officer, CGIT-cum-Labour Court, Lucknow for adjudication :

“Whether the action of the Central Institute of Plastic Engineering & Technology, Lucknow in terminating the services of Sh. Rakesh Kumar Sahu w.e.f. 7-5-99 is legal and justified? If not, to what relief Sh. Sahu is entitled to?”

Sh. Rakesh Kumar Sahu has alleged in his statement of claim that he was employed in piece rate wages maintenance work since March 1994 and thereafter since 1-5-98 he was employed on monthly wages at

the rate of Rs. 2500 from till 7-5-98, although wages were paid only upto 30-4-99 work included that of Mason, plumbing, maintenance repairing, gardening, etc. The organisation includes workshop, hospital, garden, etc. It is also alleged that the employer used to collect attendance card every month the worker was not provided with appointment letter, pay slip, leave book, etc. therefore, the evidences are not in the possession of the employee and these are in the possession of employer. The employer terminated the employee's services in the A.N. of 7-5-99 without notice, notice pay or compensation. Worker has therefore prayed for reinstatement with all service benefits together with the wages for the period of 1-5-99 to 7-5-99

The worker Sri Rakesh Kumar Sahu has in his rejoinder alleged that the employer without any reason stopped taking work since 1-5-99, by oral orders and that too without any notice, notice pay compensation although he did put in more than 240 days work.

The opposite party has denied the claim and has alleged that the Central Institute of Plastic Engineering & Technology, Lucknow is a Government Body registered under Societies Registration Act and is autonomous body in providing education in the field of Plastic Engineering & Technology. It has been submitted that the service of mason, plumbers, labourers are required from time to time for the maintenance of the Institute Building for which persons are engaged either on daily rates, piece rate or on contract basis. Institute has been engaging the services of Sri Rakesh Kumar Sahu who is basically a mason and plumber from time to time either on daily wage basis or piece rate basis depending upon the nature of work and its duration. He was working as labour in Jan. and Feb. 1997 on daily wages. The area behind the building of the Institute starting from the hostel side and behind the service block was lying in a haphazard and uneven state with an outgrowth of dense jungle weeds. So it was felt that for developing this area contract be given to some person for carrying out the work. Since Rakesh Kumar Sahu who is a mason and a plumber and general contractor as would appear from his letterhead gave his offer on 26-2-97 for carrying out the above work on fixed rates and also stated that the work would be completed in five months. The offer was accepted vide letter dt. 1-3-97. He was awarded the contract for carrying out gardening work within 5 months. The work was got done by Rakesh Kumar Sahu by employing minimum 5 labours. After completion of the above work Rakesh Kumar Sahu was given the work of planting 450 trees and irrigating the same for 15 days Rs. 7000 was paid to him against his bill dt. 1-9-97. It was also felt that the maintenance and repairs as well as fresh work be given to him on a fixed charge of Rs. 2500 per month for year starting from 1st May, 1998 subject to renewal from time to time if required. He was required to provide manpower & other things for the purpose of carrying out the work as required. The contract expired on 30-4-98 and it

was not renewed. As such he ceased to be the contractor for maintenance work after 30-4-98. It is also submitted that the entry in the institute is restricted. For this purpose he was issued entry card which was required to be punched at the gate for entry in the institute and also for the purpose of service charges. It is submitted that there is no post of mason in the institute. As and when mason is required they are brought from the market on daily rate basis or the work is done through contractor depending upon the nature of work. Opposite party has alleged that it is false to say that Rakesh Kumar Sahu worked till 7-5-99. There is no question of issuing appointment letter or pay slip. Entry card too is not a proof of employment. Claim statement and alleged to be false, frivolous and misconceived and the worker is not entitled to any relief.

The opposite party has filed following photostat copies of documents with their written statement.

1. Letter of acceptance of the contract dt. 26-12-97. On the letterhead specifying the nature of work and the amount, engagement of labour (Ann. I to Written Statement).
2. Letter of acceptance of the contract dt. 1-3-97 by opposite party (Ann. I to Written Statement).
3. Bill No. 43 of Rakesh Kumar Sahu dt. 1-8-97 (Ann. III of WS).
4. Extract of file note sheet of the opposite party dt. 2-9-97 (Ann. IV to WS).
5. Extract of file note sheet of the opposite party dt. 23-4-98 (Ann. V to written statement).
6. Extract of attendance register July 1998 to May 1999.
7. Gate pass issued to the workman from Jan. 1999 to April 99.
8. Payment voucher no. 1805, 1803 dt. 31-12-98 for Rs. 2500.
9. Statement of daily rated labours of Rakesh Kumar Sahu.
10. Extract of note sheet dt. 31-12-98.
11. Statement of labour detailed.
12. Payment voucher no. 1639 dt. 2-12-98 for Rs. 2500, 1640 dt. 2-12-98 for Rs. 2822, 1426 dt. 2-11-98 for Rs. 2500, 1432 dt. 2-11-95 for Rs. 2264, 1281 dt. 30-9-98 for Rs. 2500, 1000 dt. 5-10-95 for Rs. 3210 alongwith the labour maintenance details.

Rakesh Kumar Sahu for the worker and Dr. Vijay Kumar for the opposite party have filed the affidavits and they have been cross examined by each other.

Employer has filed the written argument, worker has also filed the written arguments.

Worker was given an opportunity to put forward his oral submission, but he denied and pressed his written argument should be taken into account, on the other hand opposite party's representative submitted his oral submissions.

I have carefully gone through the written arguments of parties and oral submissions of opposite party perused evidence on record.

Worker has admitted in his cross examination that given a letter on 24-2-97 that the labour rate for levelling long lying on the back is 70 paise per ft and also 5 labours will be required and the work shall require Rs. 7000 per month and the work shall be completed within 5 months, the work involved levelling, planting, extracting of hard substance as stones and kanker etc. The worker has also admitted that paper no. 28/6 is photo copy of his letter. The letter is reproduced below:

राकेश कुमार साहू

राज मिस्त्री एवं प्लम्बर

म. नं. ईएसडब्ल्यू 614, सेक्टर आई, एल.डी.ए. कालोनी, कानपुर
रोड, लखनऊ

सिपेट लखनऊ दिनांक 26-2-97

महोदय,

- (1) पीछे के लान बराबर करने के लेबर की मजदूरी 70 पैसे प्रति फिट देने की कृपा कीजिये।
- (2) 5 लेबर प्रतिदिन लगायेंगे 7000/- प्रति माह दर से होगा।
- (1) लेबिल करना।
- (2) घास की सफाई करना।
- (3) पौधे लगाना।
- (4) कंकड़ पत्थर भूमि से निकलवाना।
- (5) वृक्ष की सफाई, गुड़ाई।

ह०

राकेश कुमार साहू
26-2-97

Dr. Vijay Kumar has stated in the affidavit that Rakesh Kumar Sahu is a mason and plumber and general contractor as would appear from his letter head, gave offer on 26-2-97 for carrying out the work on fixed rates and also stated that the work would be completed in 5 months. The true copy of which has been filed by the opposite party as Ann. I of his affidavit. Dr. Vijay Kumar, Dy. Director Central Institute of Plastic Engineering and Technology, Lucknow (hereinafter referred to as the Institute) has stated in para 6 of his affidavit that the offer of Sri Rakesh Kumar Sahu was accepted for the said work and vide letter dt. 1-3-97 he was awarded the contract for carrying out the gardening work for five months. The work was done by Sri Rakesh Kumar Sahu by employing minimum of 5

labourers. The true copy of letter has been annexed to the affidavit as Ann. II which reads as follows:

सेन्ट्रल इन्स्टीट्यूट ऑफ प्लास्टिक्स इन्जीनियरिंग एंड टेक्नालाजी

(रसायन एवं उर्वरक मंत्रालय, भारत सरकार)

Central Institute of Plastics Engineering and Technology

(Ministry of Chemical and Fertilizer)

बी-27 अमौसी इन्डस्ट्रियल एरिया, लखनऊ-226008

सिपेट : बागवानी/96-97/

1-3-97

श्री राजेश कुमार साहू

नं. 664, सेक्टर आई

एल.डी.ए. कालोनी, कानपुर रोड, लखनऊ

विषय : कैम्पस में बागवानी कार्य

आपको CIPET कैम्पस में हास्टल ब्लॉक के सामने बाउन्ड्री वाल से लेकर सर्विस ब्लॉक के सामने बाउन्ड्री वाल तक पीछे के हिस्से की जमीन को समतल/बागवानी के लायक बनाने का कार्य निम्न शर्तों पर 1-3-97 से 31-7-97 तक 5 माह के लिये दिया जाता है।

- (1) जमीन की 1 फीट की गहराई तक खुदाई करना।
- (2) खुदाई के बाद कंकड़, पत्थर, घास निकालना एवं एक जगह इकट्ठा करना।
- (3) जमीन में गुड़ाई कर पौधे लायक बनाना।
- (4) जमीन समतल कर क्यारी बनाना।
- (5) जमीन में पहले से लगाये पेड़ों का रख-रखाव करना।
- (6) प्रत्येक माह में पर्याप्त मात्रा में मजदूर लगाकर कम से कम 150 दिवस प्रतिमाह कार्य होना चाहिये।
- (7) सम्पूर्ण कार्य 5 माह में 5-7-97 तक सन्तोषजनक ढंग से पूर्ण करना होगा।
- (8) आपको प्रत्येक माह की अन्तिम तिथि को माह के मजदूरों की उपस्थिति का विवरण तथा माह में किये गये कार्य का कुल एरिया कार्यालय में प्रस्तुत करना होगा।
- (9) आपके द्वारा प्रस्तुत बिल का मौलिक सत्यापन के उपरान्त आपको 7000/- (सात हजार रुपये) प्रतिमाह भुगतान किया जायेगा।
- (10) माह जुलाई 97 को भुगतान सम्पूर्ण कार्य सन्तोषजनक ढंग से पूर्ण करने पर ही किया जायेगा।
- (11) यदि किसी माह में मजदूरों की उपस्थिति कम रहती है या कुल किये गये कार्य का एरिया कम पाया जायेगा तो उसी अनुपात में मासिक भुगतान से कटौती की जायेगी।
- (12) मासिक भुगतान से 2% इनकम टैक्स की कटौती की जायेगी।

(13) एक बार तैयार किये गये एरिया में पुनः घास उगने पर उसको भी समय-समय पर साफ करना होगा। यदि आप उपरोक्त नियम एवं शर्तों से सहमत हैं तो इस पत्र के द्वितीय प्रति पर हस्ताक्षर कर इस कार्यालय को वापस करें।

हः/-

सभी शर्तों से सहमत हूँ।

हः/-

आर. के. साहू

हः/-

डा. विजय कुमार

उपनिदेशक

Dr. Vijay Kumar has also stated in para 7 of the affidavit that Rakesh Kumar Sahu was further given work of planting 450 trees and irrigating the same for 15 days for Rs. 7000/-. The said work was completed and payment of Rs. 7000/- was made to him against his bill dt. 1-9-97. True copy of office note and bill dt. 1-9-97 have been filed by Dr. Vijay Kumar as Ann. 3 of the affidavit.

Worker has stated in his cross examination at para 5 that he was awarded contract to planting 450 trees and he planted then and this work was for Rs. 7000/- He alleges that he carried out the job but the payment was not made.

The bill of Rakesh Kumar Sahu Ann. 3 is dt. 2-9-97 for Rs. 7,000/- the extract of note sheet dt. 2-9-97 of Admn. Asstt. signed by Sr. Accounts Officer and Dy. Director as reproduced below :

श्री राकेश कुमार साहू को सिपेट कैम्पस में हास्टल ब्लॉक से लेकर सर्विस ब्लॉक तक की जमीन को समतल कर पेड़ पौधे लगाने बनाने हेतु माह मार्च, 1997 से 31-7-97 तक 5 माह के लिये रु. 7000/- प्रतिमाह की दर से दिया गया था। श्री राकेश कुमार साहू को जो एरिया दिया गया था। उस एरिया को निर्धारित समय में पूरा कर लिया गया है जिसका अन्तिम भुगतान श्री राकेश को कर दिया गया है।

उक्त कार्य के अतिरिक्त राकेश साहू को गेस्ट हाउस हेतु प्रस्तावित जमीन की सफाई तथा उनके द्वारा तैयार की गई जमीन में पेड़ लगाने का कार्य भी माह अगस्त में अलग से दिया गया, जिसमें 450 पेड़ों के गड्ढे खोदकर उसमें बालू खाद मिलाकर डालना तथा 450 पेड़ लगाकर उनकी 15 दिन तक नियमित सिंचाई की गई जिस कार्य हेतु श्री राकेश साहू ने रु. 7000/- का बिल प्रस्तुत किया है। माह अगस्त में लिये गये कार्य का निरीक्षण किया गया तथा श्री राकेश कुमार साहू द्वारा प्रस्तुत दैनिक मजदूरी बिल में अंकित कुल मानव दिवस 160 में श्री राकेश साहू की उपस्थिति के दिन घटाकर (160-29) 131 दिन का भुगतान रु. 40/- प्रति दिन की दर से कुल भुगतान 5240/- (पांच हजार दो सौ चालीस रुपये) के भुगतान की प्रस्तुति की जाती है। आवश्यक स्वीकृति हेतु प्रस्तुत।

हः

लेखाधिकारी

हः

उपनिदेशक

हः

प्रशासनिक सहायक

Dr. Vijay Kumar has stated in para 8 of the affidavit that it was felt that the maintenance service contract for maintenance repair as well as fresh work be given to him on a fixed service charge of Rs. 2500/- per month for one year

starting from 1st May, 1998 subject to renewal from time to time if required. It is relevant to mention here that the maintenance work was not to be carried out by Rakesh Kumar Sahu. He was required to provide man power and other things for the purpose of carrying out the work as required. A true copy of dt. 23-4-98 has filed as Ann. 5 of the affidavit which is reproduced below :

Ann. No. 5

CIPET CENTRE LUCKNOW

23-4-98

NOTE

For the maintenance and repairs of all plumbing and brick masonry related works, the Centre has been engaging the services of Sri Rakesh Kumar Sahu since the last five years or so. He functions as a mason (i.e.) semi skilled type of worker for both nature of jobs and has proved good and sincere services. The service charges were being paid either on daily wages basis or piece rate basis depending on the type of work. Besides the individual has also supplied labour for jungle clearance beautification, tree planting and maintenance of the backside of the premises.

It is felt that it would be more economical and in the overall increases of the Centre if the maintenance service contract for maintenance, repair as well as fresh work be given to Rakesh Kumar Sahu on a maintenance service charges of Rs. 2500/- p.m. The labour charges for labour engaged would be payable separately on daily wages basis. As no separate charges for each individual work will be payable to Sri Rakesh Kumar Sahu, the return to the Institute in terms of his service would be available for brick masonry, plumbing related works as well as other misc. type of works which would be assigned to him now and then. The service contract can be for a period initially of one year w.e.f. 1st May, 1998 subject to renewal from time to time if required.

The proposal may please be approved.

Sd/-

ADMN. OFFICER

Sd/-

MANAGER PROCESSING

Sd/-

MANAGER ACCOUNTS

Sd/-

DY. DIRECTOR

In the present case followings sections of Industrial Dispute Act, 1947 are relevant which are reproduced below :

2(s) "workman" means any person (including an apprentice employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of

employment be express or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of that dispute, or whose dismissal discharge or retrenchment has led to that dispute, but does not include any such person—

- (i) who is subject the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957); or
- (ii) who is employed in the police service as an officer or other employee of a prison; or
- (iii) who is employed mainly in a management of administrative capacity; or
- (iv) who being employed in a supervisory capacity, draws wages exceeding one thousand six hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, function mainly of a managerial nature.

2(oo)

"Retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action but does not include;

- (a) Voluntary retrenchment of the workman; or
- (b) retrenchment of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or
- (bb) termination of the service of the workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation on that behalf contained therein; or
- (c) termination of the service of a workman on the ground of continued ill-health."

1st question is whether there exists the relationship of employer & employee amongst the parties.

It is admitted fact that Sri Rakesh Kumar Sahu presented the quotation on 26-2-97 to the opposite party specifying the labour rates for levelling the lawn with the clear operation to be under taken. The said quotation is submitted on the printed letter head disclosing his identity as "Raj Mistri & Plumber" & home address. The said quotation was accepted by the opposite party as is evident from the letter No. Bagwani/96-97 dated 1-3-97 of the opposite party. From the documentary evidence it is proved that the said contract was acted upon. This clearly shows that there is not relationship of employer & employees between the parties.

There is another contract between the parties. Under office note dt. 23-4-98 the opposite party further issued job order to Sri Rakesh Kumar Sahu for maintenance, repair as fresh work at the service charge of Rs. 2500/- p.m. It was also provided that the labour charges for labour engaged would be paid separately on daily wage basis as no separate charges for each individual work will be payable to Sri Rakesh Kumar Sahu. Service contract was stipulated for one year i.e. from 1st May, 98 subject to renewal from time to time. The management witness has proved by affidavit that maintenance work was to be carried out by Sri Rakesh Kumar Sahu alone. He was required to provide man power & other things for the purpose of carrying out the work as required. The contract expired on 30-4-99 and it was not renewed as such he ceased to be contractor after 30-4-99.

The issue referred whether the action of the opposite party in terminating the services of Rakesh Kumar Sahu w.e.f. 7-5-99 is legal & justified. Rakesh Kumar Sahu was to prove that he was employee & the opposite party was employer.

Worker has indicated his unawareness about service contract and has denied that he was not given any contract as such @ 2500/- per month and that to for a period of one year. However, he was admitted that since 1-5-1998 he started working in the Institute and for that purpose he used to engage labourers and whatever labour he used to be engaged were paid separately. He has also stated in cross-examination on his verification the labours were paid by the opposite party. He has also stated the names of labours engaged by him. The names of labours he engaged were Jhabu, Raju, Rajesh and Anand and others. He has also admitted that the attendance used to be marked of his labourers. He has also stated that in Dec. 98 he employed Shridhar, Rajesh & Jhabu and others and in Dec. 98 he was paid Rs. 3069/- towards labour charges. He has also admitted in Dec. 98 Rs. 2500/- were paid to him as service charges and likewise in every month he used to be paid service charges of Rs. 2500/- and the labour charges. He has denied that his contract was till 30-4-99 and thereafter he was not extended any contract.

From the note sheet dt. 23-4-98 coupled with the affidavit of Dr. Vijay Kumar. It is proved that a service contract was given to him w.e.f. 1-5-98 and the service charges were paid to him Rs. 2500/-p.m. The denial by Rakesh Kumar Sahu is not trustworthy. It is proved by the management of the opposite party that the said service contract was for the period for upto 30-4-99 and thereafter there was no service contract nor the contract was extended. Rakesh Kumar Sahu has tried to prove that he was a salaried person w.e.f. 1-5-98 and the wages were Rs. 2500/- per month. This fact is not trustworthy as payment of Rs. 2500/- were service charges admitted by him, therefore no relationship of employer and employee between the parties.

Rakesh Kumar Sahu has in his statement of claim has tried to show that he worked with the opposite party as employee upto 7-5-99 but he was paid for the period upto 30-4-99. However, he could not conceal this fact that he remained in service upto 1-5-99 in the rejoinder. The relevant extract of his rejoinder is reproduced below:

“सेवायोजक के उत्तर के पैरा 1, 2 तथा 3 में जिस प्रकार से कथन किया गया है, वह स्वीकार नहीं है क्योंकि बाद से संबंधित श्रमिक सेवायोजक के प्रतिष्ठान में दि. 1-5-98 से रु. 2500/- प्रतिमाह की वेतन दर पर नियोजित कर लिया गया था और उसे दि. 1-5-99 से अकारण मौखिक रूप से कार्य पर लेना बन्द कर दिया गया तथा औद्योगिक विवाद अधिनियम, 1947 के 25एफ के अन्तर्गत बाद से संबंधित श्रमिक को कोई नोटिस अथवा नोटिस के बदले एक माह का वेतन तथा छटनी के मुआवजे का भुगतान भी नहीं किया गया जबकि, श्रमिक से अखण्डित सेवा करते हुये एक वर्ष की सेवा में 240 दिनों से अधिक की सेवा पूरी की है।”

Thus he has admitted that the opposite party did not took any work from Rakesh Kumar Sahu from 1-5-99. In the circumstances it is not correct to say that he was engaged after 1-5-99 for work.

Opposite party has argued that—

“Accordingly a service contract for maintenance work was given to Rakesh Kumar Sahu for one year on a fixed monthly service charge of Rs. 2500/- for year. The contract period expired on 30-4-99 and it was not renewed. As such he ceased to be the contractor for maintenance work after 30-4-99. Sri Rakesh Kumar Sahu as contractor was required to be present in the institute on every working day for carrying out the repair or maintenance work as and when required. It is submitted that the entry in the Institute is required. For this purpose he was issued an entry card, which was required to be punched at the gate for entry in the Institute and also for the purposes of paying his service charges. It is further submitted that there is no post of Mason in the Institute. As and when a Mason is required he is brought from the market either on daily rate basis or on piece rate basis or the work is done through contractor depending upon the nature of work. It is submitted that the entry card does not give any right of employment to a person. As such its relevance is not important for the purposes of the present dispute. It is further submitted that Rakesh Kumar Sahu used to perform such work in the Institute which was required for the proper maintenance of the Institute from time to time for which he was given the service contract for one year. It is further submitted that at time he used to deploy more than one labour for carrying out the repairs etc.

It is submitted that Rakesh Kumar Sahu has admitted in his cross-examination that he used to deploy several labourers in the Institute for carrying out the work for which he used to get payment over and above his fixed service charge of Rs. 2500/- per month. It is further submitted

that the above amounts used to be paid to him after deducting Income Tax at source as is required in the case of a contractor.

Payment vouchers and bills for the months of Sept. October and Nov. 1998 have been filed as Ann. 1 to 3 along with the objections to show that several labours were provided by Rakesh Kumar Sahu during these months for which payment was made to him over and above the usual service charges for these months. It is submitted that 2% tax was deducted at source as is required for payment to contractors. Thus, it would be absolutely clear that Rakesh Kumar Sahu was working only as a maintenance contractor in the Institute and not as an employee.

It is further submitted that the entry card was only for purposes of ensuring entry and presence in the Institute for carrying out maintenance work in pursuance of the contract and cannot be read as a proof of employment and does not confer any right for being an employee of the Institute. It is categorically admitted that the entry card or the attendance register cannot be read as a proof of employment in the Institute. As such the same are not relevant for the adjudication of the present dispute.

It is submitted that in order to carry out the maintenance work under the service contract, Rakesh Kumar Sahu was required to be present in the Institute every day. The entry and attendance of the workman was only for the purposes of ensuring his presence in the institute every day for the purposes of carrying out the maintenance work, if any, and also for the purposes of paying his service charges for the number of days he undertook maintenance work in the institute and cannot be read as a proof of employment in the institute.

It is submitted that Sri Rakesh Kumar Sahu was working only as a contractor, he was not a workman as defined under the I.D. Act and the present proceedings at this behest are not maintainable.

It is further submitted that as Rakesh Kumar Sahu is not a workman, working for more than 240 days in a calendar year is not relevant for the present dispute and the provisions of Section 25F of I.D. Act are not applicable.

On the contrary the opposite party has argued that Rakesh Kumar Sahu was the worker of the opposite party and was in the employment and his services were terminated in afternoon 1-7-99. The argument of representative of the Rakesh Kumar Sahu is not true looking into the various service contract between the parties and since Rakesh Kumar Sahu was not in the employment and there was no obligation on the opposite to tender any notice to the worker.

From the letter head and quotation of the Rakesh Kumar Sahu it is proved that he was not a worker but was a plumber and Raj Mistry etc. who was carrying out the various jobs on contract basis. The opposite party is a educational institute engaged in imparting technical education in plastic engineering and its aim and object is

to impart education in plastic engineering. It is not a public work deptt. which is engaging maintenance of building or garden etc. For petty work such institute have option either to employ and engage labour themselves and to carry out the job in alternative of they can engage petty contractor for the purpose to avoid to bring the labours from market and supervising the work. It is in these circumstances it is proved that the opposite party has engaged Rakesh Kumar Sahu for such petty works. Rakesh Kumar Sahu has indisputably pleaded to get the employment with the opposite party and has tried to manipulate the fact and has not stated truth in the cross-examination. The representative of Rakesh Kumar Sahu has filed the case laws which is not relevant to the present case.

Rakesh Kumar Sahu has tried to say in affidavit that Randhir Kumar Patel has been kept engaged who was junior to him in service where as his services were terminated. The denying the allegation of the Dy. Director of the opposite party has stated in his affidavit that Randhir Kumar Patel was appointed as a Technician on Project work for one year vide appointment order dt. 31-7-98. He worked till 31-7-99 and thereafter his contract was also not renewed and lapsed. He is no more in the employment of the Institute. Moreover Sri Patel was working against a post under a Project for which Diploma in Electronics was a prerequisite. Sri Rakesh Kumar Sahu cannot claim parity with Sri Randhir Kumar Patel, the opposite party has also filed the appointment letter of Randhir Kumar Patel which is annx. no. 6 of the affidavit.

Rakesh Kumar Sahu in his affidavit stated that the work for which he was engaged has been got executed by Jhabu and he was posted as Mali and thereafter the opposite party engaged other outsiders. Dr. Vijay Kumar Dy. Director denying the allegation has submitted that Jhabu initially a labour of Rakesh Kumar Sahu and used to work with him. He was given the contract for cleaning the institute for 11 months w.e.f. 1-4-2002. His duties and work is different from that of Rakesh Kumar Sahu. As such it cannot be said that he was appointed in place of Rakesh Kumar Sahu. True copy of the contract of Jhabu is also been filed as annexure no. 7 of the affidavit.

From the discussions above I come to the conclusion that Rakesh Kumar Sahu was on service contract upto 30-4-99 and that contract was not further renewed and therefore there is no question of termination of his services and there is no requirement in law to give him any notice, notice pay or compensation under the provision of I.D. Act. The issue is therefore awarded accordingly. I also come to the conclusion that Rakesh Kumar Sahu is not entitled any relief whatsoever.

LUCKNOW

17-5-2005

SHRIKANT SHUKLA, Presiding Officer

नई दिल्ली, 8 जून, 2005

का.आ. 2333—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू. सी. एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर (संदर्भ संख्या सी.जी.आई.टी./एल.सी./आर/164/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-6-2005 को प्राप्त हुआ था।

[सं. एल-22012/185/93-आई आर (सी-II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 8th June, 2005

S.O. 2333.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/164/93) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 8-6-2005.

[No. L-22012/185/93-IR (C-II)]

N.P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR-COURT, JABALPUR

No. CGIT/LC/R/164/93

Shri C. M. SINGH, Presiding Officer

The General Secretary,
M.P. K.K.M.P. (HMS), Post

Junnardeo, Distt. Chhindwara ... Workman/Union

Versus

The Manager, Ghorawari Colliery,
P.O. Ghorawari,

Distt. Chhindwara ... Management

AWARD

Passed on this 12th May, 2005

The Government of India, Ministry of Labour vide its Notification No. L-22012/185/93-IR (C-II) dated 23-8-93 has referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of Ghorawari Colliery of WCL, Kanhan Area, PO Ghorawari, Distt. Chhindwara in dismissing Shri Maroti S/o Ratti, General Mazdoor from services w.e.f. 20-3-91 is justified? If not, to what relief the workman is entitled to?”

2. The Case of the workman in brief is as follows:—

The workman Shri Maroti was a permanent worker having 15 years of neat and clean service for the industry (Ghorawari Colliery), Western Coalfields Ltd., Distt. Chhindwara. He was served with chargesheet No. 226 dated 29-6-90 stating therein that he was served with a chargesheet No. 828/88 dated 4-7-88 regarding which the enquiry will be held on 7-7-90 i.e. after a gap of 2 years. He

went to attend the enquiry proceedings but no enquiry was conducted. Thereafter two times he received letters to face the enquiry on 14-7-90 and 12-8-90. On both the dates, he went to attend the enquiry proceedings but the management failed to conduct the enquiry. Thereafter again he was served with a chargesheet No. 741/90 dated 11-6-90 mentioned therein that he was absenting from duty from 16-3-90. But no enquiry was conducted. He was called at the office along with Shri Lazbar Khan and his thumb impressions were taken on various papers with an assurance that he will be allowed to continue on duty. On 20-3-91, he was dismissed without any charge as he was stopped verbally to continue on duty. The management with the view to retrench the surplus manpower adopted the above illegal procedure. The further case of the workman is that he never absented himself from duty, actually he was a TB patient and was under treatment of Company's hospital after giving due information to the management. The management to escape itself from granting leave of 6 months to him for treatment as per rules, passed the illegal order of his dismissal. That he never remained absent from duty unauthorisely and his short attendance shown by the management is false. It is prayed by the workman that the illegal and improper order of dismissal passed by the management be set aside and he be reinstated in service with full back wages, benefits and costs.

3. The case of the management in brief is as follows:— The workman Shri Maroti was working as a General Mazdoor in Ghorawari Colliery. He was appointed on 22-3-1974. Ever since his appointment, he was in the habit of absenting himself from duty continuously without informing the management and without taking prior approval from the Competent Authority. He was absent from 11-5-88 without any permission or intimation to the management. For the aforesaid act, he was issued with a chargesheet dated 4-7-88 which was duly received by him. he submitted his reply to the chargesheet and the same was not found satisfactory. Vide order dated 9-7-88, Shri S.K. Srivastava, Sr. Personnel Manager was appointed Enquiry Officer to conduct enquiry into the chargesheet. The enquiry officer conducted a proper enquiry in which full opportunity was given to the workman. The workman participated in the enquiry and the Enquiry Officer held the workman guilty of charges levelled against him. The workman had a bad record of service. his past performance was also reviewed and it was observed that he was a habitual absentee. On several occasions, he was issued with chargesheet. His yearwise attendance particulars from the year 1984 onwards are as under :—

1984	186½
1985	95
1986	149
1987	100
1988	147
1989	49
1990	77

4. The management in order to prove that a proper and legal enquiry was conducted, examined Shri S.K. Srivastava Retd. Personnel Manager. This witness was cross-examined by the learned counsel for the workman.

5. The parties filed certain papers in support of their respective contentions. Those documents shall be referred in the body of this award at appropriate places where their reference is needed. It is worthwhile to mention here that the management also filed the department enquiry papers.

6. My Learned predecessor in office having heard Shri G.N. Jha the then Chief General Secretary, MPKKMP (HMS), Junnardeo for workman and Shri A.K. Shashi Advocate for management and after having considered the evidence on record on 12-4-96 recorded the finding that DE is held proper and legal and answered the preliminary issue on enquiry in favour of the management. The finding on this preliminary issue shall form the part of this award.

7. I could not have an opportunity of hearing the workman in person or the authorized representative of the Union as nobody was present on behalf of workman on the date of hearing argument. I have heard Shri A.K. Shashidaram, Advocate for management and perused the record.

8. The learned counsel for the management submitted that the Disciplinary Authority after having considered the report of Enquiry Officer and an examining the entire enquiry proceedings being fully satisfied that the charges stood proved accepted the enquiry report. That he after considering all the aspects of the case, specially the extreme gravity of charges that the workman remained absent from duty unauthorisely without any intimation or sanctioned leave and was a habitual absentee since he joined the services, imposed upon him the penalty of dismissal from service. The learned counsel further submitted that under the facts and circumstances of this case, the tribunal is requested not to exercise its jurisdiction under Sec-11A of the Industrial Dispute Act 1947 to award lesser punishment than the dismissal from service. In this respect, he placed reliance on 1998(I) LLJ-431 in the case of Union of India and ors. *versus* Srivastava B.K. I have very carefully gone through the law cited above. It has been held therein that if the DE conducted is fair and legal and there has been lawful exercise of power by the Disciplinary and Appellate Authority, the tribunal, should stay its hand. That it is no part of function of the tribunal to substitute its own decision when enquiry is held in accordance with rules and the punishment is imposed by the authorities considering all the relevant circumstances and which it is entitled to impose. The learned counsel for the management also placed reliance on 1995(I)-LLJ-1065 in the case of A.M. Ishwar Char *versus* Executive Engineer Electrical wherein the Hon'ble High Court of Karnataka held that under the guise of sympathy, there can be no compromise in cases of gross indiscipline. That sympathy will be shown in appropriate cases and the courts in this country have frequently observed that misplaced sympathy results in miscarriage of justice.

In the case at hand, no prayer has been made on behalf of workman that the lesser penalty be imposed on him as punishment. Under the circumstances, I am of the considered opinion that it is not a fit case in which lesser punishment than dismissal from service be awarded.

9. In view of the above, it is concluded that the action of the management of Ghorawari Colliery of WCL, Kanhan Area, PO Ghorawari, Distt. Chhindwara in dismissing Shri Maroti, S/O Ratti, General Mazdoor from services w.e.f. 20/3/91 is justified.

10. The reference is accordingly answered in favour of the management and against the workman. The cost shall remain easy.

11. The copy of the award be sent to the Government of India, Ministry of labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 8 जून, 2005

का.आ. 2334—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. II नई दिल्ली के पंचाट (संदर्भ संख्या आई. डी.-116/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-06-2005 को प्राप्त हुआ था।

[सं. एल-12012/110/96-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 8th June, 2005

S.O. 2334.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. I.D.-116/97) of the Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on 8-6-2005.

[No. L-12012/110/96-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL-TRIBUNAL-CUM-LABOUR COURT-II, RAJENDRA BHAWAN, GROUND FLOOR, RAJENDRA PLACE, NEW DELHI

R. N. RAI, Presiding Officer :

I.D. No. 116/97

In The Matter Of :

Sh. Bhuvnesh Dutt Sharma S/o Sh. N.D. Sharma,
18, Gandhi Nagar, Gali No. 3,
Garh Road, Meerut.

Versus

The Asstt. General Manager,
State Bank of India, Region IV,
Zonal Office, Garh Road,
Meerut (U.P.)

AWARD

The Ministry of Labour by its letter No. L-12012/110/96-IR (B-I) Central Government Dt. 6-8-1997 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the management of State Bank of India in dismissing the service of Bhuvnesh Dutt Sharma w.e.f. 23-9-1994 is just, fair & Legal? If not, what relief he is entitled to and from what date.”

The workman has filed statement of claim. In his statement of claim, it has been stated that the workman joined the service of State Bank of India, Subhash Bazar, Market, Meerut, as Guard on 28-5-1970 and was confirmed on 28-11-1970. That his work and conduct was very satisfactory, therefore, he was promoted as Godown Keeper w.e.f. 1-9-1983 and posted at Meerut City Branch. He was transferred by the Bank to Main Market Muzaffarnagar Branch where he joined duty on 10th June, 1991.

That the workman was issued a charge sheet vide Memo No. MRT/DPS/RIV/PCF/497 dt. 11-6-1992 by the Disciplinary Authority on false and flimsy grounds. The copy of the said charge sheet is enclosed and marked Annexure ‘A’. That Shri R.K. Sharma was appointed as Enquiry Officer. That the workman attended the enquiry on 30-11-1993. That the workman was coerced, pressurized and induced by the Enquiry Officer and the Bank Representative that the workman should not get himself defended by Shri J.N. Kapoor, the then General Secretary of the Union and in turn they assured the workman that they would help him. They further threatened that if the workman insists and brings Shri J.N. Kapoor then the management would not be able to help him. They further assured that they would look after his interest and if the workman follows their instructions and signs the proceedings as recorded by the Enquiry Officer, then no action would be taken against the workman. In the circumstances, the workman attended the proceedings mutely and signed the minutes blindly. The enquiry was a sham show and was done in a most irregular manner just to complete the formalities. The Enquiry Officer had been repeatedly assuring the workman that the enquiry proceedings are being done to close the case against the workman. The workman could never imagine that the Enquiry Officer and Bank Representative had been duping him and they are getting his signatures under coercion and false inducement, on his death warrants. The enquiry was a sham show and merely a formality. The principles of Natural Justice were flouted.

That the workman blindly relied on the false assurances of the Enquiry Officer and was very much

hopeful and as assured by the Enquiry Officer and the Bank Representative no action would be taken against him. That the workman was shocked to receive show-cause notice from the Disciplinary Authority vide his letter dt. 20-7-1994, tentatively deciding to inflict the punishment of dismissal on the workman. The decision of the Disciplinary Authority was illegal, arbitrary and amounts to victimization. The workman submitted his detailed reply to the show-cause notice vide his letter dt. 26-8-1994, the copy of which is enclosed, marked Annexure ‘B’, and the contents of the said letter be treated as part of my statement of claim. That the Disciplinary Authority did not consider workman’s reply and acted recklessly and arbitrarily as he was a biased authority. He had pre-decided to dismiss the workman and show cause/tentative decision was only a formality and sham show.

That the workman was illegally dismissed from the Bank’s service on 27-9-1994 by the Disciplinary Authority. The workman also submitted his Appeal against the above order to the Appellate authority vide his letter dt. 7-11-1994. The Disciplinary Authority without going through the facts and merits of the case, summarily dismissed the Appeal. The copy of the said Appeal is enclosed—marked Annexure ‘C’; and the contents of the same may kindly be treated as part of his statement of claim.

The findings of the Enquiry Officer in this case are biased and perverse. It is the duty of the Enquiry Officer conducting a domestic enquiry to apply his mind to the evidence tendered and draw conclusions supported by reasons. Termination order based on a report containing conclusions without reasons is unsustainable.

The management has filed written statement. In the written statement, it has been stated that it is, however, wrong and emphatically denied that the chargesheet was issued on false and flimsy grounds. The workman was misusing his official position and was involved in certain illegal activities which caused financial loss to the bank. He negotiated certain cheques and withdrawals on his accounts, which bounced. He issued certain cheques and withdrawals also on his accounts without keeping sufficient balance. He was absenting unauthorisedly from his duties from 10-7-1991. These misconducts of the workman were prejudicial to the nature of the business of the bank and, therefore, he was charge sheeted.

Sh. R.K. Sharma was appointed as Enquiry Officer and the workman attended the enquiry on 30-11-1993. Rest of the contents of this para are wrong and denied. It is emphatically denied that the workman was coerced, pressurized and induced by the Enquiry Officer and the Bank Representative. It is submitted that the workman attended the Enquiry Proceeding for the first time on 30-11-1993 and requested for adjournment so that he could present his defence properly and could bring a defence representative. On the next date of hearing i.e. on 14-12-1993, the workman did not bring any defence

representative. He was afforded one more opportunity by the Enquiry Officer to bring his defence representative. He gave the name of Shri J.N. Kapoor as his defence representative. However, Shri J.N. Kapoor never appeared in the enquiry proceedings. It is wrong and denied that the enquiry was a sham show and was a mere formality. It is stated that the workman, time and again tried to vitiate the enquiry proceedings. The chargesheet was sent to the workman by Regd. Post which was acknowledged by him on AD Card. However, as no reply of the chargesheet was received despite repeated reminders, an enquiry was ordered by the Disciplinary Authority. The notice of enquiry was sent to the workman at his last recorded addresses by two Regd. letters on 13-5-1993 but both were received back with the endorsements "House locked; packet returned to Sender". The workman was again intimidated by Regd. letter and also by the UPC on 4-6-1993, but these letters were also received back. On 13-11-1993, notice to this effect was published in the "Amar Ujala" a local newspaper. It is only then that the workman appeared in the enquiry proceedings on 30-11-1993 for the first time. It is wrong and denied that the enquiry was done in irregular manner and principles of natural justice were flouted. It is stated that the fullest opportunity to cross-examine the management witnesses was given to the workman. He was also afforded the opportunity to present his defence before the enquiry officer. In view of these circumstances, it is stated that the principles of natural justice were fully followed during the enquiry proceedings.

It is stated that after the conclusion of the enquiry proceedings, the Disciplinary Authority considered the whole matter and tentatively decided to dismiss the workman, consequently a show-cause notice was issued by the Disciplinary Authority on 20-7-1994. It is wrong and denied that the decision of the Disciplinary Authority was illegal, arbitrary and amounted to victimization. It is admitted that on 26-8-1994 the workman submitted his reply to the show-cause notice and personally appeared before the Disciplinary Authority. The final orders of dismissal of the workman was passed by the Disciplinary Authority only after considering all the pleas and points raised by the workman in his reply during the personal hearing. It is emphatically denied that the Disciplinary Authority acted recklessly and arbitrarily and was a biased authority. It is wrong and denied that the Disciplinary Authority had predecided to dismiss the workman and the show cause and tentative decision was only a formality and sham show. As stated earlier, the final orders of dismissal were passed after following proper procedures and only after the conclusion of enquiry proceedings.

It is, however, wrong and denied that the appellate authority dismissed and appeal without going through the facts and merits of the case. The appellate authority rejected the appeal of the workman by passing a reasoned

order. It is wrong and denied that the charges against the workman were false and baseless. It is wrong and denied that the charges do not fall under the clauses of major misconduct. As the charges stood proved during a fair and legal enquiry in which all principles of natural justice were complied with and the workman was given due opportunity to defend himself, the workman was proportionately punished with the capital punishment of dismissal. It is admitted that other punishments have been imposed on other people but the facts and circumstances of those cases are entirely different from the case in hand. As the workman has made vague and baseless allegations the same cannot be replied. It is wrong and denied that any disproportionate punishment was awarded to the workman. As no prejudice has been caused to the workman during the fair and legal enquiry the workman was imposed the punishment of dismissal commensurate with the gravity of the charges upheld. It is wrong and denied that the work and conduct of the workman had been very good. The factum of the workman having large family is denied for want of knowledge. As the punishment has been imposed after a fair and legal enquiry the same cannot be interfered by the Hon'ble Court.

It is again wrong and denied that the enquiry was a sham show. The entire documentary evidence was placed in the enquiry proceedings and witnesses were examined by the management. The workman had an opportunity to cross-examine the witnesses of the Management and, therefore, the allegation made by the workman are wrong and denied. All the principles of natural justice were complied by the Enquiry Officer, the workman was given full opportunity to defend himself.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the statement of claim.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman applicant that Shri R. K. Sharma was appointed as inquiry officer. The workman attended inquiry on 30-11-1993. The workman was coerced, pressurized and enticed by the inquiry officer and the Bank representative that the workman should not get himself defended by Shri J. N. Kapoor the then General Secretary of the Union and in term they assured the workman that they would help him.

It was further submitted from the side of the workman that they further threatened that if the workman insists and brings his J.N. Kapoor then the management would not be able to help him. He was assured that they would look after his interest in case the workman follows their instructions and signs the proceedings as recorded by the inquiry officer. In that case no action against the

workman would be taken. In the circumstances the workman attended the proceedings and signed the minutes blindly. The inquiry was sham show and was done in the most irregular manner just to complete the formalities. The workman did not imagine that the inquiry officer and Bank representative are duping and they should get his signatures out of coercion and false assurances. The workman applicant signed the minutes of the proceedings. The inquiry officer gave report against him. He was dismissed from service. The appellate authority also did not apply his mind and held the dismissal valid.

It was further submitted that the inquiry officer was biased and his report is perverse. He was dismissed for *malafide* reasons. The inquiry was not held properly. The principles of natural justice were violated. The workman was victimized for *malafide* reasons. Disproportionate and harsh punishment of dismissal was awarded to the workman. The workman had put in 24 years unblemished service. The management has not given any cognizance or consideration of such long service with good records of the workman. The workman from the date of his dismissal has been trying to get remunerative job but he has failed. He has a large family to support.

It was submitted from the side of the management that the workman was charge sheeted by the inquiry officer and the charges are that he purchased DD and issued cheques and with no money and thus caused loss to the Bank. He held account No. 427 at Meerut City Branch and on 23-05-1991 purchased DD for Rs. 1200/-. From the main market Muzaffarnagar Branch he purchased DD of Rs. 3,250/- from the same branch. He purchased DD of Rs. 5,160/- and Rs. 500/-. He issued cheques on his Saving Account 427 at Meerut City Branch without keeping sufficient balance in his account in contravention of his Service Rules and Conduct Rules. He issued cheque on 17-09-1990 for Rs. 5,000/- in the name of Sri Hari Om Agarwal. Cheque No. 746998 issued in favour of M/s. Mahavir Traders for Rs. 10,000/- was returned unpaid. Cheque No. 876270 for Rs. 4,120/- was returned unpaid on 07-04-1990 issued in favour of M/s. Rajdhani Finance Company. His debit and credit transaction in his SB Account No. 427 at Meerut City Branch. He has credited Rs. 10,000/- on 06-09-1990, Rs. 10,000/- on 26-09-1990 and Rs. 10,000/- on 07-01-1991 and Rs. 7,923/- on 18-01-1991. He has opened Saving Bank Accounts No. 1138 with Zila Sahkari Bank Limited in contravention of the Conduct Rules.

He further received advance money from Smt. Prem Lata Singhal for sale of his land of Rs. 10,000/- and Shri Hari Om Agarwal of Rs. 5,000/-. He was unauthorisedly absent from duty w.e.f.: 10-07-1991. It was further submitted by the Bank that even charges amount to grave to gross misconduct.

It was submitted from the side of the workman applicant that he joined Bank service in 1970 and he was

confirmed in 1970. He was appointed as Godown Keeper w.e.f.: 01-09-1993. He was charged on 11-06-1992 as such after 20 years of long service he has been charge sheeted. Shri J.N. Kapoor has not signed the proceedings of the inquiry. The case of the workman applicant is that he was assured that no action will be taken against him so he signed the proceedings of the bank and did not produce evidence in his defence in view of the same assurances. Shri J.N. Kapoor was given by the management as his defence representative but no step was taken to relieve Shri Kapoor thus the Bank did not provide the person to cross-examination the witness. The employee of the Bank has got right under para 521(10)(a) of Shastri Award to get employee for his defence and that employee should be relieved on special leave with full pay and allowances. In this case Shri J.N. Kapoor was not relieved to cross-examine the management witness. It was submitted from the side of the workman applicant that due to this act of the management para 521(10)(a) of Shastri Award has been violated.

From the side of the workman applicant my attention was drawn to 18 1989 SCC Pg. 180 and 2000 SCC Pg. 830. These citation of the Hon'ble Supreme Court are not relevant in the present facts and circumstances of the case. I have perused the inquiry report on witness has been cross-examined. It has been mentioned in the inquiry that the EPA pleaded his case himself and gave letter dated 26-04-1994 in respect of the clarification on charges against and requested the disciplinary authority to take lenient view and reduce the punishment awarded to him keeping in view the 20 years unblemished service put in by him. It transpires from the perusal of the order passed above by the disciplinary authority that the workman applicant pleaded his case himself and he gave a short defence statement. This indicates that he signed the proceedings under inducement of the inquiry officer and the Presenting Officer that no action will be taken against him. I have perused the entire charges, from the charges levelled against him there is no grave misconduct in case the principle of natural justice are supposed to be followed and it is supposed that sufficient opportunity has been given to him. In the facts and circumstances of the case a proper inquiry has not been held. The workman applicant has not been given opportunity to cross-examine the witnesses. Shri J.N. Kapoor the defence representative has not been relieved to cross-examine the witnesses produced during the inquiry as such there is infringement of the right given to the workman applicant in para 521 referred to above of the Shastri Award. In case for argument's sake if it is supposed that the principles of natural justice have been followed and he has been given sufficient opportunity to afford evidence in defence, the charge sheet did not disclose anything from which it can be said that the workman applicant has committed grave mis-conduct. The Bank Award under Rule 4 of the said award gross-misconduct has been defined. It is regarding

engagement in Trade or Business, unauthorized disclosure of information, dampening etc. Damage caused to the property of the Bank wilful insubordination habitual doing of any act, which amount to major misconduct. From the charge sheet itself it is clear that he has credited Rs. 10,000/- on 06-09-1990 again Rs. 10,000/- on 26-09-1990, Rs. 10,000/- on 06-09-1991 and Rs. 7,913/- on 18-01-1991. The DD has been purchased on 23-05-1991, 12-06-1991 and 01-10-1991 and the cheques have been issued on 17-09-1990. There was sufficient amount in the account of the workman applicant according to the charge sheet itself as such there was no misappropriation, there is no embezzlement in case he has deposited Rs. 10,000/- on 06-09-1990 as per the charge sheet. He has deposited Rs. 10,000/- on 26-09-1990. The cheque was returned on 17-08-1990 as there was no balance. In case the workman applicant has issued a cheque and there is no balance the cheque is to be returned but subsequently he has deposited the money for encashment of that cheque and even according to the negotiable instrument act money may be deposited within one month from the date of issue of the cheque. The money has been so deposited.

He has a shop and he wanted to sell the shop so he could take advance money from others and permission of the Bank is not required. From the perusal of the inquiry report and the charge sheet submitted to the workman applicant even if the proceedings of the inquiry are taken to be fair, the workman applicant has not committed any grave misconduct and as such he could not be given punishment of grave mis-conduct.

The workman applicant has committed minor misconduct so he cannot be awarded punishment of dismissal. He has rendered 20 years of service so in view of his long unblemished services for minor mis-conduct only increments are to be withheld and he should not have been awarded the punishment of dismissal for gross misconduct. The gross mis-conduct is not found proved on the basis of the inquiry and charge sheet. The inquiry is not absolutely fair but there are certain transactions of the workman applicant, which constitute minor misconduct, and so he can be punished for he minor misconduct. No loss to the Bank has been established.

In this case both the parties have adduced evidence and the fairness of the inquiry has not been agitated as preliminary issue. Both the parties have adduced evidence so the award is being given on the merits of the case. The inquiry is not absolutely fair but still the workman applicant according to his own admissions has committed minor misconduct as such his three increments with cumulative effect should be withheld and he should be given 50% back wages in view of his minor mis-conduct. The

punishment of dismissal without any notice is not proportionate to the minor misconduct committed by the workman applicant.

The reference is replied thus :—

The action of the management of the State Bank of India in dismissing the service of Bhubnesh Dutt Sharma w.e.f. 23-09-1994 is neither absolutely just nor fair nor absolutely legal. The workman applicant deserves to be reinstated withholding his three increments with cumulative effect and 50% back wages w.e.f. 23-09-1994. It is further clarified that the workman applicant will receive only 50% back wages and his three increments will be withheld with cumulative effect from 23-09-1994. The management is directed to reinstate the workman applicant in the light of the above order within one month from the publication of the Award. In case of default the workman applicant will be entitled to get 12% interest per annum on the back wages that become due.

The Award is given accordingly.

Dated : 09-02-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 8 जून, 2005

का.आ. 2335.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. II, नई दिल्ली के पंचाट (संदर्भ संख्या आई.डी. 31/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-06-2005 को प्राप्त हुआ था।

[सं. एल-41011/40/99-आई आर (बी-I)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 8th June, 2005

S.O. 2335.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (ID-31/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. II, New Delhi now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway and their workmen, which was received by the Central Government on 8-6-2005.

[No. L-41011/40/99-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, RAJENDRA BHAWAN,
GROUND FLOOR, RAJENDRA PLACE,
NEW DELHI**

Presiding Officer : R. N. RAI

I.D. No. 31/2000

IN THE MATTER OF:

Sh. Ram Lal and Others,
C/o The President,
Delhi Labour Union,
Agrawal Bhawan,
G. T. Road,
Tis Hazari, Delhi.

Versus

The General Manager,
Northern Railway,
Baroda House,
New Delhi-110001.

AWARD

The Ministry of Labour by its letter No. L-41011/40/99-IR (B-I) Central Government Dt. 17-02-2000 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether workman Shri Ram Lal, Babu Lal and Hari engaged as casual Workers at Railway's Karnail Singh Stadium by Northern Railways Sports Association are entitled for temporary status under Railway Estt. After completion of 120 days' continuous working.”

The Union has filed statement of claim on behalf of the workmen. In the statement of claim, it has been stated that the workman Sh. Ram Lal has been in the employment of the Northern Railway and is posted at Railway Karnail Singh Stadium w.e.f. 01-08-1994 as a Gym Attendant. Shri Babu Lal has been working as a peon w.e.f. 01-05-1990 and Sh. Hari has been working as a Safai Karamchari w.e.f. 01-07-1995. Shri Ram Lal is getting Rs. 1,600 p.m., Shri Babu Lal is getting Rs. 1900 p.m. and Sh. Hari is being paid Rs. 1650 p.m. which are less than the wages fixed under the minimum wages Act by the appropriate Government. They are being treated as monthly paid

muster roll workers although they are working continuously from the initial date of their joining into the employment and are performing full normal duties to the entire satisfaction of their superiors. They have unblemished and uninterrupted record of service to their credit. Their counterparts, doing the identical work but being treated as regular employees, are being paid their salaries in proper pay scale and allowances. They are also enjoying other benefits and facilities such as Uniform, E.L., C.L., Gazetted/Restricted/Festival Holidays and Medical Leave which are completely denied to the aforesaid workmen.

That they should have been granted temporary status in service from the initial date of their joining into the employment after completing 120 days of continuous employment. But no action has been taken by the Railways administration to regularise their services in proper pay scale and allowances. That the workmen aforesaid have been meted out with hostile discrimination as juniors to them have been regularised in service in proper pay scale and allowances. Shri Kayam Ullah S/o Sh. Karam Ullah was taken into the employment on 01-08-1993. His services have been regularised and he has been transferred to Calcutta. The workmen aforesaid have represented their case to the Railway Board on various occasions but no reply has been given to them. They are made to perform duties from 6 a.m. to 8 p.m. daily, but no overtime wages are paid to them.

That the action of the management amounts to unfair labour practice as provided in Section 2(ra) read with Item No. 10 of the 5th Schedule of the I.D. Act, 1947. That the job against which the workmen aforesaid are working is of a permanent nature of job. That a demand notice was served upon the General Manager of the Northern Railway by regd. A/D post vide communication dt. 28-04-1999, duly received in his office, but no reply has been received and it is presumed that the demand has been rejected. Thereafter an Industrial Dispute was raised by filing a statement of claim before the conciliation officer and the conciliation proceedings were initiated but the conciliation proceedings resulted in failure because of the adamant and non-cooperative attitude of the management and hence this reference.

The management has filed written statement. In the written statement, it has been stated that the Northern Railway Sports Association (N. R. S. A.) is an Association for promoting sports among Railway employees. Its office bearers are all honorary members and they do not receive any remuneration for carrying out their duties in the field

of sports from the Railway Administration. Some persons are engaged by the Association purely on part time basis to provide services for the maintenance and upkeep of the stadium. There is, however, no post at the stadium level either temporary or permanent for such sports activities, as the power to engage anybody on temporary or permanent basis is vested in none other than the General Manager, Northern Railway, New Delhi. That the claims of applicants are not covered under the provisions of Industrial Disputes Act, 1947, therefore, their claim petition is liable to be rejected by this Hon'ble court on this ground alone.

That the applicants/claimants are working as daily wage part time workers depending on the job requirement and they are not holding any specific job of a peon or safaiwala and they are paid by the Sports Association from the earnings of stadium and partly from grants received through Staff Benefit Funds. So, they can in no way be considered to have been engaged by the Northern Railway. That the part time workers engaged on purely contract basis by the Northern Railway Sports Association cannot be treated as on the rolls of Northern Railway nor are they eligible for the grant of pay scales of Northern Railway. So, they are not entitled to the relief prayed for, and their claim petition is liable to be rejected by this Hon'ble Tribunal on this ground also.

That the claim petition is liable to be dismissed on the ground that the case is irrelevant to the facts and circumstances of the case and it does not merit consideration by this Hon'ble Tribunal. That grant of temporary status to those engaged on contract basis is extended only if they are in turn for such appointment on the basis of their position in select lists and/or are selected in the approved manner for appointment to regular Railway posts. N.R.S.A. neither have any such recruitment power nor the same has ever been extended to them in the past.

It is denied that Shri Ram Lal has been in the employment of Northern Railway. It is stated that the workman, Ram Lal, is a part time worker and employed by the Sports Association of Northern Railway and is paid by the said Association, and the said Association, it is pointed out, is not a government organisation. He is working as part time worker depending upon the job requirement with no specific job as peon or safaiwala. Another worker, Babu Lal is also a part time worker just like the one stated above and the third one, Hari Ram is also a part time worker just like the above said two workers. It is stated that Ram Lal is being paid Rs. 1900 per month (lump sum); Babu Lal is being paid Rs. 2100 per month

lump sum and Hari Ram is being paid Rs. 1900/- per month lump sum. They are all employees/workmen engaged by the Sports Association of Northern Railway and they are part time workers of the said Association and not of Northern Railway as alleged/claimed by the abovesaid workmen in their claim petition. It is denied that the counterparts of the said workmen are being treated as regular employees or are being paid proper pay scales and allowances. It is stated that there are no counterparts of the abovesaid workmen engaged by the Sports Association and it is a false and baseless statement made by the workmen in question that their counterparts are being treated as regular employees or are being paid their salaries in proper/prescribed pay scales. The above statement of the workmen in question is completely wrong and is denied. It is further stated that since the above said workmen are not Railway servants, they are not entitled to any benefits which are available or enjoyed by the Railway employees, as per rules applicable to Railway employees.

It is denied that there is any such system of temporary status in the Sports Association of Northern Railway which is being run by the honorary members of the said Association who are neither drawing any remuneration nor any other benefits for the services rendered by them in promoting sports among the Northern Railway employees. It is stated that the workmen in question are not on the rolls of Northern Railway, and, therefore, the granting of temporary status and pay scales to them does not arise. It is denied that the workmen in question being employees of Sports Association of Northern Railway have been meted out hostile discrimination or that their juniors have been regularised in service or given proper pay scales as alleged in the para under reply. Even otherwise, the contents of the para under reply can be commented upon by the Sports Association and not by the Northern Railway as such. It is further stated that the workmen in question not being Railway employees, their grievances, if any, can be looked into by the said Sports Association and not by the Railway Board as such. It is denied that the workmen in question have been performing daily duty from 6.00 a.m. to 8.00 p.m. as alleged. It is stated that the workmen being part time workers of N.R.S.A. are performing duty from 6.30 a.m. to 9.00 a.m. and thereafter from 4.00 p.m. to 9.30 p.m. as per the duty hours (roster) fixed by the said Association. It is further stated that since the applicants/workmen are not Railway employees as such, their claim is not covered under the provisions of Industrial Disputes Act, 1947 as quoted in the sub-paras of the para under reply.

It is reiterated once again that the workmen/applicants are working purely on part time/contractual basis for maintenance and upkeep of the sports stadium of Northern Railway and this job is not at all of permanent nature involving employing staff on permanent basis. With regard to Shri Kayam Ullah, he left the part time job of Sports Association and Northern Railway is not aware of his present job. That para 3 of the claim petition is wrong and denied.

The applicants in question have been engaged as part time workers for maintenance and upkeep of the stadium and to provide services as and when required by the Northern Railway Sports Association. There is, however, no post at the stadium either temporary or permanent for sports activities. If that were so, such posts would have been filled up by the competent authority viz. General Manager, Northern Railway, New Delhi, and not by any lesser authority, as all such powers are vested in the General Manager, Northern Railway, New Delhi only.

The workmen have filed rejoinder. In their rejoinder they have reiterated the averments of claim statement and have denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workmen applicants that they have been working with Staff Sports Association for a long time but they have not been conferred temporary status. They have been getting fixed emoluments. NRSA, Baroda House has issued Identity Cards to them. Most of the workmen are working from 77, 88, 90, 93, 95 respectively but they have not been given temporary status. The Incharge of the Sports Stadium has written letter to the Northern Railway for regularization of the services of the Casual Labour employed in the Stadium, Badminton Hall, Gymnasium Hall, D.K.Z. Akhara. This letter is WW1. This letter is admitted to the management. It indicates that the workmen concerned are working with the Sports Association. Letter dated 20-8-1993 is also regarding regularization from Ex. Director, Establishment, Railway Board.

It was further submitted that the workmen applicants have been working with the Sports Association but they have not been conferred temporary status and they are not paid "Equal Pay for Equal Work".

It was admitted from the side of the management that the worker are part time workmen and they have been appointed by the Sports Association. They have not been appointed by the General Manager, Northern Railway and they have not been appointed according to the recruitment process. They are part time workers and they are working on contract basis for doing the job of cleaning etc. They are not the employees of the Railway Government. From the perusal of the record it transpires that the workmen applicants are engaged in the stadium only and they are performing their duties in the Railway Stadium. It has been held in AIR 2003 SC 2353 that Railway Employees who are not appointed pursuant to any rules of recruitment or orders issued by the Railways but they are engaged on part time basis they cannot claim regularization and "Equal Pay for Equal Work". In the instant case also the workmen applicants have not been recruited by orders issued by the Railways. In 117 (2005) Delhi Law Times DRJ 145 it has held that the workmen should perform duties identical to those of regular employees. In the instant case the workmen are not performing the duties of regular employee. In 2002(7) SC 518, the Hon'ble Supreme Court has held that Daily Wagers and Casual Wagers cannot be regularized.

It was submitted from the side of the management that it is the duty of the workmen to prove that they have been recruited by the Railway Board or by the General Manager, Northern Railway but they have failed to prove it. Sports Association runs the stadium and the workmen have been appointed by the Sports Association so they are not direct recruit of the Railway Government. The question of giving them "Equal Pay for Equal Work" does not arise. They are not even entitled to regularization in view of the law discuss above. They are not entitled to get any relief as prayed for.

The reference is replied thus :—

The workmen Sh. Ram Lal, Babu Lal and Sh. Hari engaged as Casual workers at Railway Karnail Singh Stadium vide Northern Railway Sports Association are not entitled for temporary status under Railway establishment after completion of 120 days continuous working. The workmen applicants are not entitled to get any relief as prayed for.

The Award is given accordingly.

Dated : 1-6-2005

R.N. RAI, Presiding Officer

नई दिल्ली, 8 जून, 2005

AWARD

का.आ. 2336.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रेलवे बोर्ड, रेलवे मंत्रालय, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या आई.डी. 123/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2005 को प्राप्त हुआ था।

[सं. एल-41011/13/2000-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 8th June, 2005

S.O. 2336.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I.D. 123/2000) of the Central Government Industrial Tribunal/Labour Court No. II, New Delhi now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Railway Board, Ministry of Railway, New Delhi and their workman, which was received by the Central Government on 8-6-2005.

[No. L-41011/13/2000-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,
RAJENDRA BHAWAN, GROUND FLOOR,
RAJENDRA PLACE, NEW DELHI**

PRESIDING OFFICER: R.N. RAI**I. D. No. 123/2000****IN THE MATTER OF:—**

The Secretary General,
All India Station Masters's Association,
New Delhi, Regd. No. 1359,
26. Badra Gardens, 8 Venugopal Street,
Guduvanchery, Tamil Nadu-603202.

VERSUS

The Chairman,
Railway Board, Ministry of Railways,
Government of India,
Rail Bhawan, New Delhi-110011.

The Ministry of Labour by its letter No. L-41011/13/2000/IR (B-1) CENTRAL GOVERNMENT DT. 7-11-2000 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the Chairman, Railway Board, Rail Bhawan, New Delhi in not granting pay element of running allowance at par with running staff to the Station Masters/Assistant Station Masters is justified, reasonable and valid? If not, what benefit and relief Station Masters and Assistant Station Masters are entitled to”

The Union has filed statement of claim on behalf of the workmen. In the statement of claim, it has been stated that the Station Masters and Assistant Station Masters are appointed in Railways mainly for the purpose of performing train passing duties. The All India Station Masters' Association, Regd. No. 1359 has been espousing the cause of the Station Masters and Assistant Station Masters at various levels to find solutions to genuine rights/grievances since 1951. On the demand of Station Masters and Assistant Station Masters, the All India Station Masters' Association (Association for short) issued a Strike Notice on the management in July 97 on following demands :

- (1) Supervisors (Station Masters) to be placed above the supervised.
- (2) Grant of Pay-Element of Running Allowance.
- (3) Abolition of Essentially Intermittent Classification, etc.,

The Labour Ministry initiated conciliatory proceedings. However, the conciliatory proceedings had failed. This Association continued its persuasive measures to find redressal to the issue raised in the Strike Notice and discussed the same in subsequent conciliatory proceedings. Having failed in all its efforts, this Association issued a fresh strike notice dt. 4th December, 1999 on the same issues. Again, a fresh round of conciliatory proceedings was initiated by the Deputy Chief Labour Commissioner (Central) New Delhi. Some progress on the demand was made and in respect of revision of pay scales, the management agreed. Whereas, in respect of schedule under reference the management rejected, hence this statement.

The petitioner humbly submits that the rights of Station Masters and Assistant Station Masters to Running Allowance is inherent in them under the rules and in relation to the object sought to be achieved by the rules. An

analysis of the definition for Running Allowance which is mentioned as :

“Running Allowance is an Allowance ordinarily granted to running staff for the performance of duty directly connected to the charge of moving trains and includes Kilometrage and Allowance in lieu of Kilometrage” in Rule 1507 of the Indian Railways Establishment Code.

Excluding - Ordinarily to running staff—remains as an allowance granted for performance of duties directly connected to the charge of moving trains. Now, for better understanding what are the duties directly connected to the charge of moving trains, the following may be pertinent to ponder over. The system of Railways is based on an enactment *i.e.* Railways Act, the latest is the Railways Act, 1989, formulated and passed by both the Houses of Parliament. Section 60 (2) (g) under this Act prescribe for Rules related to working of Railways, establishment of Railways, etc., by the Central Government and for placing them before both the Houses of Parliament for approval. The General Rules, 1986 is the latest rules made in connection with the working of Railways by the Government of India and approved by the Union Parliament.

According to General Rules, working of Railways means basically movement of trains from one destination to another. The entire stretch between such destinations is divided into block sections by situating stations as operationally convenient spots. Thus, a train running between two destinations has to negotiate a number of stations and block stations. Thus running of trains between destinations requires certain duties to be discharged. Such duties, without which there cannot be running of trains, shall be construed to be directly connected to the charge of moving trains.

Moving trains which are called as running trains in General Rules, is defined to be a train, which has commenced its journey with an authority to proceed but has not completed its journey, *Vide* GR 1.02(48) (Annexure I). According to this definition for a train to become a moving train, the essential requirement is that Station Masters/ Assistant Station Masters shall not give permission to start the train until train is fit to the effect that it is fit to proceed and has the prescribed brake power (G.R. 4.31) and it shall be in possession on an authority to proceed *i.e.* without an authority to proceed, a train is a stable stock *i.e.* a train cannot said to be a moving train. This fact shall be understood from General Rules GR. 1.02(6) (Annexure II) which defines an authority to proceed as an authority given to the driver of a train under the system of working to enter into a block section and GR 14.08 (Annexure III) which stipulates that the Driver shall not take his train into a block station unless he has been given an authority to proceed. Thus every duty performed in connection with an authority to proceed is a duty directly connected to the charge of moving trains.

Kinds of authority to proceed are contained in GR 14.08 and according to this provision every tangible authority which are extracted utilizing block instruments, paper line clear tickets signed by Station Masters and ‘taking off’ or ‘Clearing’ the last stop signal - are the authorities to proceed without which no train can commence its journey. Thus, duties performed in connection with extraction of the tangible authorities and the duties performed on the block instruments, preparation of paper line clear tickets and clearance of last stop signals and conveying such authority to proceed to the drivers are duties which are directly connected to the charge of moving trains. Further, GR 1.02(10) (Annexure IV) defines block section as that portion of the running line between two block stations into which no running train may enter until line clear has been received from the block station at the other end and *vide* GR 1.02(37) (Annexure V) line clear means a permission given from a block station to block station in near for a train to leave the latter and approach the former or permission obtained by a block station from a block station in advance for a train to leave the former and proceed towards the latter. From these two definitions in GR. 1.02(10) & GR-1.02(37) one can understand that for a train to enter into the Section between two block stations, it must possess line clear *i.e.* permission to approach transacted between block stations. With reference to GR 5.01 (4) (Annexure VI) and GR 14.03 (Annexure VII) Station Masters are the one and the only railway servants who can obtain or grant line clear and who can transmit an authority to proceed and can have free access to the block instruments. Thus every duty performed with the block instruments by the Station Masters is that directly connected to the charge of moving trains.

Further a train running between two destinations has to negotiate Stations which are defined to be places at which traffic is dealt with or any authority to proceed is given under the system of working *vide* GR 1.02(51) (Annexure VIII). In order to control reception and despatch of trains at Stations, a system of signal working is stipulated *Vide* Chapter III of the General Rules, 1986. According to this chapter in normal circumstances movement of trains is controlled by clearing or taking off of relevant signals and such clearance of signals within Station-limits as per GR 3.36 (Annexure IX) shall not be done without necessary permission from Station Masters *i.e.* if a Station Masters does not either arrange to clear a signal or permit to clear a signal, there cannot be any movement of trains. During failures of signal working the General Rules stipulate for issuing of paper authority fulfilling certain condition precedents. According to the mandatory General Rules, the above condition precedents are to be fulfilled by the Station Masters and the paper authorities shall be issued by the Station Masters only.

The duties leading to, clearing relevant signals, permission to clear signals are duties directly connected to

the charge of moving trains since without the above duties there will not be any movement of trains. Similarly Chapter 3(H) (Annexure X) prescribes for duties to be performed whenever signals and points governing movement of trains, are defective and these duties have equal force to that under normal working of signals. As such the duties performed in connection with issuing authorities in place of defective signals, duties performed in receiving trains from the defective signals and duties connected to the correct setting and locking of points leading to reception and despatch of trains are duties directly connected to the charge of moving trains. In order to ensure safe and punctual running of trains, procedures have been laid in the General Rules, such as issuance of caution orders *vide* GR 4.09 (Annexure XI) and exchange of all right signals *vide* GR 4.42 (Annexure XII), etc.

Caution orders are necessitated during emergencies and/or departmental maintenance works. All right signals are exchanged as an important task to ensure safe and smooth running of train from one destination to another. This signal is exchanged between the Guard and the Driver of a moving train with the Station Staff. Any failure in exchanging all right signals either by the crew or the Station Staff will lead to temporary termination running of trains. Therefore, duties related to, the issuance of caution orders, conveying the caution order and exchange of all right signals are those directly connected to the charge of moving trains. The General Rules, 1986, are the rules, which provide for working of railways and according to these rules, traffic, *i.e.* movement of trains etc. are directly controlled by the Station Masters. Further, *vide* General Rules 4.37 and 4.39 (Annexure XIII) the driver and the guard who work trains are working under the orders from the Station Masters and as such but for orders from the Station Masters there will not be running of trains and hence station Masters shall be the principal recipient of pay element of Running Allowance.

If the duties of the driver of a train in starting his train from a Station which can take place only when the driver is permitted so by the guard of the train, are the duties directly connected to the charge of moving trains, then the duties performed by the Station Masters in relation to permission given to the guard to permit his driver to start his train *vide* 4.35 (Annexure XIV) are equally placed to that by the Driver and the guard and as such are duties directly connected to the charge of moving trains. If the duties performed by the driver and the guard of a train in protecting such train in mid-section during emergencies such as accidents, fire etc., are duties directly connected to the charge of moving trains, then the duties performed by Station Masters in ensuring the complete arrival of train which negotiate a section and in arranging to secure the train by sending search parties etc., in the event of such train does not reach the station in advance within a reasonable time *vide* GR 6.04 (Annexure XV) and arranging

to protect the trains *vide* GR 6.03 (Annexure XVI) at stations or within station limits are duties directly connected to the charge of moving trains.

Also, "Charge of" mentioned in the definition does not necessarily mean 'Driving' or 'Attempt to drive' but means and includes a duty directly connected to the control of moving trains, according to law settled in *CHRITCHTON Vs. BURREL* 1915 SLT 3365 which has been emphasized by Justice Shankar Saran in his award in 1961. "That train passing duty itself is a duty of great responsibility and heavy mental strain, so much so, that a slight mistake may lead to disastrous consequences involving loss of thousand of lives". Also, once an engine enters into the traffic yard and until it is sent back to the loco shed it is under the charge and control of Station Master. With reference to GR 4.37 which postulates subordination of guards to Station Masters and GR 4.39 insists drivers to obey all orders given to him by Station Masters. Thus whole movements are controlled by Station Masters.

Then again, assuming not conceding, for moment that driving is a condition necessary to bring the duty within the expression Charge of Then, what is driving? No where defined in the Railway Rules. The term when used with reference to a moving vehicle has two fundamental aspects or ingredients. One is the process of keeping the vehicle in motion and regulating its speed, the second is controlling the direction of the vehicle *i.e.* steering. A person as the driver of a moving vehicle should possess both the above requirements. One without the other does not make him full driver of moving vehicle as well vehicle cannot also move. These functions need not be vested in a single person as seen in the motor boats, where generally these functions are vested in two different persons. Even in motor vehicles these two functions are not inter connected. One could be performed without connection with the other. The question of steering arises only when the vehicle is in motion. It is in this context Section 2(5) of the Motor Vehicle Act, defines a driver as where a separate person acts as a steerman of motor vehicle that person as well as any other person engaged in the driving of the motor vehicle. It is therefore submitted that changing the direction of moving train even from a stationary point is part of driving and further any duty directly connected to the control of moving trains by way of signalling, line clear, issue of direction for the drivers etc., are duties directly connected to the charge of moving trains.

Further, in so far as, the duties connected with line clear, authority to proceed, clearance of signals, etc., which have a direct nexus with safe and punctual working of trains are duties without which there cannot be any movements, the same are running duties in the light of law settled in the case between Indian Railway Ticket Checking Staff Association and Union of India and Others (Annexure XVII). As such Station Masters are drivers too.

The Apex Court of India in *Workman Vs. Calcutta Port Commissioner* 1973 La IC/92 (Annexure XVIII) and *Workmen Vs. Bombay Port Trust* (1970) 20 FLR 7 (Annexure XIX) held that the Running Allowance is given for the performance of duties connected to the safe and punctual running of trains i.e. train passing duties. Indeed, the Supreme Court has gone to the extent of calling running Allowance as incentive to ensure safety and efficiency in the working of Railways. It is pertinent, that running allowance comprises of two components, namely TA elements, which includes kilometerage and allowance in lieu of kilometerage and pay element, contributing for national pay for payment of DA, retiral benefits etc. The payment of TA element is connected to all physical running of train, and pay element is related in ensuring safe and punctual working of trains. It is therefore, submitted that the Running Allowance *per se* is unconnected and unrelated to the duties performed in Running Train and it is granted exclusively as an incentive for the safe and punctual running of trains as held by the Supreme Court, Commissions and Tribunals.

This is why other staff performing duties in running trains are declared disentitled to the running allowances, though they are compensated with the travelling allowance. What disqualifies them is the qualification for Station Masters/Assistant Station Masters to the benefit of running allowance. Once it is settled that running allowance is an allowance granted as an incentive, it is a recompense and consideration for safe and punctual working of trains, the only question is whether such benefit could be denied to Station Masters/Assistant Station Masters alone when the rule itself accommodates their case. A incentive is a motivation granted for a purpose. The object of the incentive here is performance of duty directly connected to the safe and punctual running of trains. The basis for the grant is therefore direct involvement and performance is the object sought to be achieved. It is needless, here, to narrate the quantum of involvement of Station Masters/Assistant Station Masters in the safe and punctual working of trains. They are considered the biggest among the BIG THREE in safe working. They are eligible to the Accident Free Service incentive when the same is not extended to some of the running staff viz. Guard. In recent grant of Awards for Accident Free Service made in accordance with the announcement of the Hon'ble Minister for Railways to grant incentives for safe working, the Station Masters/Assistant Station Masters as a single category rank top among beneficiaries. "An important part of the Machine is Station Masters/Assistant Station Masters" (Para 7 of Hand Book 1966).

Now on Station Masters' performance, a cursory glance at the report of the latest Railway Accident Enquiry Committee will show how Station Masters perform and contribute to the object. The figures in the various charts in the Report is an unequivocal testimony to the fact that

in the category-wise break up to responsibility to accident, SMs have shown remarkable improvements in reducing accident compared to any other category similarly situated, hence Station Masters/Assistant Station Masters deserve consideration. Station Masters/Assistant Station Masters submit that with circumstances for the reasons stated above, Station Masters/Assistant Station Masters are similarly placed in parity of circumstances with any other category of Railwaymen to draw running allowance and consequential pay element benefits. Further, the Doctrine of reasonable classification recognises that the Legislature may clarify for the purpose of legislation but requires that the classification must be reasonable. It should ensure that person or thing similarly situated are similarly treated.

Ref : (i) Mohammad Shijath Ali Vs. Union of India 1974 SC 163

(ii) 1976 Lab IC 395 (AIR 1976 SC 490)

Hence, Station Masters/Assistant Station Masters come within the meaning of the expression Running Staff also if that is a requirement for the grant of Running Allowance. Article 14 and 16 of the constitution of India assures equal opportunity in matters relating to employment. Thus, for the purpose of the grant of any benefit for the safe and punctual working of trains or for the performance of duties connected to the charge of moving trains the Station Masters/Assistant Station Masters are similarly situated along with the so called Running Staff and they are entitled to be treated similarly. The denial of Running Allowance to Station Masters/Assistant Station Masters is thus violative of the Constitutional guarantee of equal opportunity and equality before law as enshrined in Article 14 and 16 of the Constitution of India. The Loco Inspectors who have been categorically denied their claim for Running Allowance by the V Central Pay Commission have been extended the benefit of Running Allowance *vide* Railway Board's Order No. E (P & A) II—97/RS—2 dt. 02-04-1988 (Annexure XX) for discharging the following duties comparably on equal footing with that by the Station Masters/Assistant Station Masters.

In the system of working that is prevailing in the Railways the end product of "TRANSPORT" revolves around the three important categories of Station Masters, Drivers and Guards. Though it is so, the role played by the each category in the system is different to the other. The role of Station Masters and Drivers though seems to be on the same place in reality, it vastly differs for the reasons the absolute responsibility in train passing vested with the category of Station Masters. In regard to the Drivers the responsibility shifts from primary to secondary, according to the circumstances, whereas in the case of Guards he is nowhere in the picture. This is time and again established at the instance of an accident in the Railways. The Indian Railways in order to improve the safety standards in Railways and safety consciousness among the train

passing staff, have devised various means to instill a source of confidence. One among those step is reward the Safety category personnel by distributing "Safety Awards" for Accident free service. In this, the omission of Guards' category is a glaring example. This amply proves our point that their importance is relegated to no place. Our averment gets fortified when the same is embedded in General Rules which provide for running of "Pilot Trains" without Guards as per S.R. 4.25 (ii) (a) (b) (c) (Annexure XXI).

The role of Station Masters in Indian Railways have become pivotal for the reasons after the introduction of sophisticated electronic gadgets. The introduction of these gadgets are with an eye to improve the safety standard and the category of Station Masters is the only category working on these gadgets. It is not only the duty and responsibility increased manifold but also it has become more strenuous. The dependability of train passing in the system is fully devolved upon the Station Masters working in 7000 odd Stations. The Station Masters is the sole independent authority in the system of manage and maneuver the train operation without any immediate assistance at his place of work, whereas in the case of Drivers he is guided in all respects during the run by the Station Masters and in case any eventuality in the mid section he has an Assistant Driver to assist him in his discharge of duties.

The management has filed written statement. In the written statement, it has been stated that the application has not been made, instituted, signed and filed by any properly authorised person on behalf of the petitioner, hence, deserves dismissal. That the applicant has no cause of action against the management/opposite party hence, deserves dismissal. That the applicant/petitioner has not come to this Hon'ble Court with clean hands and has suppressed rather misrepresented the facts which are very material for the purpose of proper adjudication of the matter in controversy pending before this Hon'ble Court and is guilty of "SUPPRESSOVERI" and on the face of the submissions contained in the Written Statement on merits the applicant is not entitled to any relief as claimed in the application, hence, deserves dismissal. That the present application is nothing but only an exercise in verbosity without any substance and only an abuse of the process of law, hence, deserves no consideration.

That the present application is not maintainable and is liable to be dismissed as the claim of the applicant is false, frivolous, vexatious, devoid of any merit and untenable in law. That the alleged claim is vague, imaginary, hypothetical after thought and outside the ambit and scope of Industrial Dispute as defined under Section 2(k) of the I.D. Act, and the instant reference is incompetent. That this reference is not competent and this Hon'ble Court has no jurisdiction in view of the Section 3(q) of the Administrative Tribunals Act, 1985 to adjudicate upon the

subject matter pending between the parties. That the applicant has no cause of action against the management/opposite party as the claim of the applicant based on same facts as contained in the present application has already been finally decided in O.A. No. 1455/92 by CAT/Madras. After a through examination of the issues involved, the Tribunal did not find any merit in the application and dismissed the same *vide* their judgement dt. 30-11-1994, hence the present claim of the applicant is barred by principles of "RESJUDICATA" is not maintainable and is liable to be dismissed. The present claim of the applicant is meritless and misconceived and the same be dismissed with compensatory costs.

Hon'ble Central Administrative Tribunal, Principal Bench, Delhi, in O.A. 1267/87 dt. 7-01-1993 in case Railway Ticket Checking Staff Checking Association I/s. Union of India and Others while dismissing an identical claim by the Indian Railway Ticket Checking Staff held—

"The claim is based on Article 14 on the ground that they are entitled to equal pay for equal work. So far as the principle of law is concerned, it is settled that equal pay for equal work is a principle which flow from Article 14 of Constitution. It is equally well settled that the principle of equal pay for equal work can be accepted only when it is established that the duties, functions and responsibilities, the Courts are not well equipped and it is a function which can more satisfactorily be performed by experts in the field. Pay Commission have been regarded and accepted as experts in this behalf and the Supreme Court has pointed out that when such an expert body evaluates the duties and functions, the court should not normally interfere with such evaluation by such a body."

That the demand of the applicant was considered by the IVth Central Pay Commission for inclusion of SMs/ ASMs in the category of running staff but the commission were unable to agree to the same, as may be see from para 10.445 of their report. Even the Vth Central Pay Commission did not agree to the demand for classification of SMs/ ASMs as running staff and grant of running allowance as may be observed from para 83.127 of their report. In this view of the matter the demand for classification of SMs/ ASMs as running staff and grant of running allowance/ pay element in running allowance to them has been examined by various flora but has not been found acceptable, as the same being devoid of merit.

The post of Station Masters/ASMs is a stationary post and they perform stationary duties only. They are involved only in working of traffic within the station limits. The SMs/ASMs do not move trains from the station. Also, they do not perform running duties; they do not perform their duties while employed on moving trains or engines/ shunting engines. The meaning of 'moving trains' and to

'move the train in the operation of train movements' is different and distinct. There are a number of categories of staff on the Railways such as Switchman, Cabinman, Pointsman, Signal Inspectors, Train Examiners, Train Controllers etc. who are connected with discharging duties of receiving/examining trains in a station and dispatching the same. In fact, all railway employees in some way or the other are connected with the movement of trains. This, however, does not entitle them to be classified as "Running Staff". The SMs/ASMs have been given certain powers to control the movement of trains within their jurisdiction with a view to ensure safety. In fact, the scope of the duties of SMs/ASMs has been very precisely mentioned by the Association itself in their instant case that "The Station Masters and Assistant Station Masters are appointed in Railways mainly for the purpose of performing train passing duties. It is the running staff, i.e. the drivers and guards who have to move the train and ensure that there is no obstruction on the track like, breach, washaway, sabotage, level crossing obstruction etc. The SMs/ASMs job is over after giving line clear, but it is the running staff who being directly Incharge of moving trains, who have to be vigilant and alert.

It is thus evident that the duties performed by SMs/ASMs do not fall within ambit of "running duties" and that they are stationary staff performing train passing duties which is distinct from being Incharge of moving trains. The contention that running allowance is granted exclusively as an incentive for the safe and punctual running of trains is wholly incorrect. Due to their nature of duties, the running staff have to stay away from their headquarters for a number of days in a month. Whereas Traveling Allowance/Daily Allowance is admissible to the employees in general on staying away from their Headquarters on fulfilment of the prescribed conditions, this benefit of Traveling Allowance/Daily Allowance is not admissible to the categories of running staff. Further, the scales of pay of the running staff are deemed to be notionally depressed and they earn a part of their pay through the instrument of running allowance.

Running Allowance, therefore, comprises mainly of two element, viz.,

- (a) an element of pay, and
- (b) an element towards out of pocket expenses representing the TA/DA element.

Running Allowance is payable to the running staff at the specified rates per 100 kms. The amount of running allowance earned is dependent upon the kilometreage worked by them and increases with the distance covered by them. In fact, performance above the average

kilometreage results in earnings higher than the more pay element and out of pocket expenses. This induces the running staff to take to running duties willingly and is a reflector of their efficiency and dedication to the Organisation. Thus, a portion of emoluments of the Running Staff is dependent upon the nature of duties and the quantum of work put in by them during the month. SMs/ASMs are entitled to TA/DA and the concept of notionally depressed scales of pay is not applicable in their case.

Loco Inspectors are drawn from amongst the categories of loco running staff viz., Goods Drivers, Passenger Drivers and Mail/Express Drivers. They are entitled to running allowance due to performance of their duties directly connected with the training and monitoring of the loco running staff on the foot-plate of the locomotives cab of the moving trains, which are akin to the duties of the Drivers. A copy of the duty-list of Loco Inspector is annexed as Annexure R3. It may be seen there from that there is vast difference between the duties performed by the Loco Inspectors on the one hand and the SMs/ASMs on the other. The SMs/ASMs are stationary staff and perform stationary duties only. The Loco Inspectors are credited with actual foot plates duties and paid running allowance accordingly at the rates prescribed from time to time. The Loco Inspectors are given an allowance in lieu of kilometreage for other than foot plate duties performed by them outside their headquarters beyond a radius of 8 kilometres. No TA/DA is admissible to Loco Inspectors, as is the case with running staff also. In the case of SMs/ASMs, TA/DA is admissible to them on fulfilment of the prescribed conditions.

In the instant case, it may be pertinent to mention that similar issue had been raised by a Section of Station Masters as O.A. No. 1455/92 before CAT/Madras. After a thorough examination of the issues involved the Tribunal did not find any merit in the application and dismissed the same *vide* their judgment dt. 30-11-1994. Further the IV Central Pay Commission also considered the demand for inclusion of SMs/ASMs in the category of running staff. The Commission considered the demand but were unable to agree to the same, as may be seen from para 10.445 of their report. Even the V Central Pay Commission did not agree to the demand for classification of SMs/ASMs as running staff and grant of running allowance as may be observed from para 83.127 of their report.

The General Secretary on behalf of All India Station Masters Association, New Delhi has filed rejoinder. In his rejoinder the averments of the claim statement have been reiterated and the contents of the paras of the written statement have been denied. The management has also

denied most of the paras of the claim statement in written statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the paper on the record.

It was submitted from the side of the petitioner that running allowance is a allowance ordinarily to the running staff for the performance of duty directly connected with the charge of moving trains and includes kilometrage and allowance. In view of the kilometrage as per rule 1507 of the Indian Railways Establishment Court running allowance has been defined as above.

It was submitted from the side of the petitioner that running allowances granted for performances of duties directly connected to the charge of moving trains. It implies that running allowances should be granted only to those employees who are directly connected with the charge of moving trains. It implies otherwise that an employee who is not directly connected to the charge of moving trains should not get running allowance.

It was further submitted that the SMs and ASMs are also directly connected to the charge of moving trains so they should also get running allowance. The substantial question to be decided is whether the SMs and ASMs are directly connected to the charge of moving trains or not. In case they are directly connected to the charge of moving trains they should be granted running allowance.

It was further submitted that the moving trains are called as running trains in the General Rules. The SMs are essential requirements for a train to become a moving train. Permission for moving a train is not giving until it is certified that train is fit to the effect that it may proceed. Without any authority to proceed, the train is stable stock. The train cannot be said to be a moving train until it moves. The SMs and ASMs give a authority for the train to move so this duty is directly connected to the charge of moving trains. The train cannot move until authority to move is given by SMs or ASMs.

It was further submitted that the authority for taking off or clearing the last stop signal which is given by the SMs and ASMs and without such authority the train cannot commence its journey. Thus the duty of the SMs and ASMs is to issue authority for a train to move so they should be considered directly connected to the charge of moving trains. The SMs and ASMs are the only Railway Employees who can obtain or grant line clear and who can transmit authority to proceed and can have free access to the block instruments thus every duty performed by the SMs and ASMs is directly connected to the commencement

of journey or moving of the train so according to the definition running allowance should be given to the SMs and ASMs.

It was further submitted that duties relating to clearing relevant signals, permission to clear signals are directly connected to the moving trains. In order to ensure safe and punctual running of trains procedure have to be laid down in General Rules such as issuance of order. The failure in exchanging all right signals either by the train crew or the station staff will lead to temporary termination of running of trains therefore, such duties as issuance of caution order conveying the caution order and exchange of all right signals are directly connected to the charge of moving trains. The SMs and ASMs perform their duties so they are directly related to the charge of moving trains. Charges mentioned in the definition does not necessarily mean driving or time to drive means includes the duties directly connected to the control of moving trains according to the law settled in 1915 SLT 1915. In 3365 it has been specified in award of 1961.

It was further submitted that changing of direction of moving trains even from a stationary point is part of driving and control and moving by way of signaling line clear issue of direction for the drivers or duties are directly connected to the charge of moving trains. The duties of SMs and ASMs have a direct nexus with safe and punctual working of trains and these are running duties in the light of law settled. The SMs are drivers too.

It was further submitted that the Hon'ble Supreme Court in 1970 (20) FLR 7 held that running allowance is given for the performance of duties connected to the safe and punctual running of trains i.e. train passing. It has been held as an incentive for smooth and efficient and safe running of the trains. It is granted exclusively as an incentive for the safe and punctual running of the trains. Running allowances is an allowance granted as incentive for safe and punctual working of trains. The SMs and ASMs play an important role. In case clearance signals are not given a train cannot be run. My attention was drawn to AIR 1970 SC 490. The SMs and ASMs should be treated as running staff and they should be granted equal pay for equal work. They are entitled to get running allowance. The denial of running allowance is violative of Constitutional Guarantee of equal opportunity and quality before law as enshrined in Article 14 and 16 of the Constitution. The running of the trains depends upon the SMs and ASMs so the SMs and ASMs are an integral part of the running trains without performance of their duties a train cannot run.

It was submitted from the side of the management that equal pay for equal work can be given in case the

duties functions and responsibilities are the same. The drivers are skilled workers and their duty is operational one such duties are not performed by SMs and ASMs they are not experts so they cannot get running allowance of running staff.

It was further submitted that the case of SMs and ASMs was considered by the IVth Pay Commission and they were not found deserving for running allowance. In case there is Pay Commission and the right of the employees are decided by the Pay Commission after representation of both the parties, the Court ceases to have jurisdiction. The SMs filed OA No. 1455/92 before CAT/Madras and the case was decided on 13-11-1994 and it was held that the IVth Pay Commission has decided that point after considering the representation of both the parties and even the Vth Pay Commission also did not agree to the demands for classifications of SMs and ASMs as running staff and did not grant them running allowance.

Running allowance is given to a class of employee who are skilled and whose duties are operational for efficient and smooth running of the trains. It depends on the nature of the duties and the quantum of work put in by them during a month. The running staff is directly connected with the duties of running trains in case the SMs and ASMs are considered running staff. The SMs and ASMs are stationary staff and perform stationary duties only. They remain on the station and they control the running of the trains sitting at one place so they perform trains passing duties and it is distinct from the charge of moving trains. The running staff stays away from his quarter for a number of days in a month and this allowance is given for staying away from their HQs on fulfilment of the prescribed conditions. The SMs do not leave/stay away from their houses for a number of days after fulfilment of the prescribed conditions. It is true that the train moves after a signal is given to the running staff and only SMs and ASMs do not perform such duties if considered broadly. The Cabinman, Pointman, Signal Inspector, Train Examiner or a Train Controller are also incidental for moving of the trains. The SMs and ASMs give direction to the Switchman, Cabinman, Pointman, Signal Inspectors, Train Examiner, Train Controller to let the train move in case these employees do not perform their duties the train cannot move. On this analogy it can be said that the Switchman, Cabinman, Pointman, Signal Inspectors, Train Examiner, Train Controller are directly connected to the charge of trains because without their operational duty the train cannot move so they should be also directly related to the charge of the trains. The Switchman, Cabinman, Pointman, Signal Inspectors, Train Examiner, Train Controller are the integral part of the stationary staff stationed at platform for the safe and

smooth running of the trains. They also discharge similar duties of the SMs and ASMs. There is no logic why they should not be paid running allowance in case the SMs and ASMs are found fit for running allowance.

To sumup the SMs and ASMs are not the running staff and they do not perform the nature of duties as performed by the running staff, the running staff is to leave away from his house for a number of days. They remain on the trains for number of hours and they work at a strategy for hours together. These duties are very tedious and hard and they have to discharge duties whereas the duties of the SMs and ASMs are for fixed hours and they work in shifts and the operation of the running trains are not so onerous in comparison to the running staff so it becomes quite obvious that the SMs and ASMs perform a different type of duty. Their duties are rather supervisory one.

The SMs and ASMs are Supervisors. They have control over the Switchman, Cabinman, Pointman, Signal Inspectors, Train Examiner, Train Controller etc. and their duties are managerial and administrative in view of this fact also the duties performed by the SMs and ASMs cannot be said to be operational and the duties of running staff. They are supervisors and in view of the definition of the I.D. Act they not the workman as they get more than Rs. 1,600 pay and they discharge supervisory duty. On this count also the petition is liable to be dismissed.

In view of the facts discussed above it is held that the SMs and ASMs do not perform the duties of running staff so they are not entitled to get equal pay for equal work as has been held by the Hon'ble Supreme Court. They discharge supervisory duties and they are not connected to the charge of moving trains so they are not entitled to get running allowance. They are not entitled to get running allowance in view of the decision of the IV and Vth Pay Commission. I have perused the law cited by the petitioners but the same are not applicable in the facts and circumstances of the present case.

The reference is replied thus :—

The action of the Chairman, Railway Board, Rail Bhawan, New Delhi in not granting pay element of running allowance at par with running staff to the Station Masters/ Assistant Station Masters is justified, reasonable and valid. The Station Masters and Assistant Station Masters are not entitled to get running allowance as prayed for.

The Award is given accordingly.

Date : 03-06-2005.

R.N. RAI, Presiding Officer

नई दिल्ली, 9 जून, 2005

AWARD

का.आ. 2337.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 99/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2005 को प्राप्त हुआ था।

[सं. एल-12011/105/2000-आई आर (बी-II)]

सी. गंगाधरन, अवर सचिव

New Delhi, the 9th June, 2005

S.O. 2337.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 99/2000) of the Central Government Industrial Tribunal cum-Labour Court No. II, New Delhi now as shown in the Annexure in the Industrial Dispute between the management of Punjab National Bank and their workman, which was received by the Central Government on 8-6-2005.

[No. L-12011/105/2000-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,
RAJENDRA BHAWAN, GROUND FLOOR,
RAJENDRA PLACE, NEW DELHI**

Presiding Officer : R.N. RAI

I. D. No. 99/2000

In the matter of :—

Shri Joginder Singh,
Through General Secretary,
PNB Worker's Union,
C/o. PNB, "L" Block, Cannaught Circus,
New Delhi.

Versus

Punjab National Bank
The Chief P. S. & L. B. Division,
Punjab National Bank,
5, Sansad Marg,
New Delhi-110 001.

The Ministry of Labour by its letter No. L-12011/105/2000/IR (B-II), Central Government Dt. 29-08-2000 has referred the following point for adjudication.

The point runs as hereunder :—

"Whether the action of the Chief, PS & LB Division, 5, Sansad Marg, Punjab National Bank, Hd. Office, New Delhi in imposing the punishment of stoppage of two increments with cumulative effect vide order dated 20-10-1998 upon Shri Joginder Singh, Peon, PS & LB Division, Punjab National Bank is justified and reasonable? If not, what relief the workman is entitled to?"

The Union has filed statement of claim on behalf of the workman. In the statement of claim it has been stated that Shri Joginder Singh was served with cooked up charge sheet dated 23-07-1996 by the said disciplinary authority, the respondents, alleging, inter alia that he did not distribute the dak on 25-06-1996 and 26-06-1996 through Peon Book despite having been so advised and also refused to take files on 26-06-1996 to the chamber of DGM, then so asked by Shri RKB Singh, Manager of the said division.

That the said charge sheet was not issued by the competent authority as per service conditions of the workman. That no comments were sought from the concerned workman on the report of inquiry by the competent disciplinary authority before issue of show cause notice, thereby proposing punishment, which is against the 'principles of natural justice' and provisions of law pertaining to disciplinary action. That the Presenting Officer did not submit any brief of inquiry to the Inquiry Officer before conclusion of inquiry findings. As such, the inquiry officer did not decide the case on merits but on the basis of his own misconceptions and surmises vide entire inquiry report.

That the inquiry officer did not give any credence to the judgements of apex court, in defence of workman. That the disciplinary authority did not provide any list of management witnesses and other documentary evidence to the inquiry officer for further investigations rather, the Presenting Officer did this duty himself, by overriding the powers of the disciplinary authority, which is illegal, and the entire inquiry proceedings stands vitiated on this count alone.

That the Presenting Officer and the disciplinary authority both were of high ranking officials of the Bank, having easy access to the disciplinary authority. The workman, having been only a Peon, was kept at a very low ebb, and the scales of justice remained tilted against the said workman. No credence was given to the legal

pronouncements, as quoted by the defence side. That the inquiry report was not provided to the workman for his formal comments on the inquiry report, before service of show cause notice dated 19-09-1998, proposing punishment.

That no personal hearing was granted to the workman by the disciplinary authority against the proposed punishment, as against the provisions of BPS, as well as against the provisions of law, and also against the principles of 'natural justice' and the disciplinary authority passed the said order of punishment arbitrarily and the Appellate Authority also confirmed the said punishment more arbitrarily, without applying his mind.

That the disciplinary authority, Presenting Officer and the inquiry officer have colluded in framing the charges against the said workman and confirmed the inquiry on him in an arbitrary fashion, without having any regard to the principles of natural justice and provisions, of law. That the said punishment is inflicted upon the said workman in a most unfair and arbitrary fashion.

In reply to the claim the management has stated that the service conditions of the workmen staff in the bank including those of Shri Joginder Singh are governed by the provisions of the Sastry Award, Desai Award and various BPS. Shri Joginder Singh was served with the charge sheet dated 23-07-1996 by the disciplinary authority under the provisions of the BPS whereby, inter alia, it was alleged that he did not distribute the dak on 25-06-1996 through Peon Book despite having been so advised and also refused to take files on 26-06-1996 to the chamber of DGM when so asked by Shri R.K.B. Singh, Manager of the Division. It was alleged that the acts committed on the part of Shri Joginder Singh constituted acts of insubordination within the meaning of para 19.5 (e) of BPS. Shri Joginder Singh, however, did not submit reply to the charge sheet. The disciplinary authority vide order dated 30-10-1996 set up departmental inquiry to find out the truthfulness of the allegations made vide charge sheet dated 23-07-1996 served upon him. It was submitted that the inquiry officer conducted the inquiry in accordance with the provisions of the BPS during which all reasonable opportunity was afforded to Shri Joginder Singh to present his case. The inquiry officer submitted his report dated 11-06-1998 to the disciplinary authority. The disciplinary authority thereafter vide show cause notice dated 19-09-1998 proposed punishment of stoppage of two increments with cumulative effect upon Shri Joginder Singh and fixed 28-09-1998 for the personal hearing but same was postponed twice on his written request. The inquiry report was provided to Shri Singh along with the said show cause notice. Shri Singh, however, did not appear for the personal hearing before the disciplinary

authority. Thereafter the disciplinary authority vide his order dated 20-10-1998 confirmed the punishment of "stoppage of two increments with cumulative effect" upon Shri Singh. Against the order dated 20-10-1998 of the disciplinary authority Shri Joginder Singh preferred and appeal dated 30-11-1998 and having regard to the material on the record, the same was rejected by the Appellate Authority vide his order dated 26-03-1999.

In view of the aforesaid it is submitted that the departmental action has been taken against Shri Joginder Singh in accordance with the provisions of the BPS and the punishment inflicted is commensurate with the gravity of the allegations established against him. Since the claimant in his claim has not specified any provision of the BPS which has been contravened by the bank, the claim of the union is liable to be rejected on this ground alone. It is the submission of the bank that the departmental inquiry was conducted in accordance with the provisions of the BPS and the same is fair and proper. However, in case this Hon'ble Tribunal comes to the conclusion for any reason whatsoever that the inquiry conducted is not fair and proper while deciding the preliminary issue of fairness of inquiry, in that eventuality, the bank would crave leave to lead evidence to establish the allegations made against the workman vide charge sheet dated 23-07-1996.

The workman applicant has not filed rejoinder. From the perusal of the order sheet it transpires that the workman applicant has been absent since 27-08-2002. He has not filed rejoinder to rebut the written statement of the management. Notice has been sent to him on 20-07-2004 still he did not turn up. The management also not turned up. In brief the case of the petitioner is that a proper inquiry has not been held against him and two increments with cumulative effect have been withheld.

The workman applicant has not filed rejoinder. He has not given any affidavit. The burden is on the workman to prove that the inquiry was unfair. He has not discharged his burden.

The reference is replied thus —

The action of the Chief, PS & LB Division, 5, Sansad Marg, Punjab National Bank, Hd. Office, New Delhi in imposing the punishment of stoppage of two increments with cumulative effect vide order dated 20-10-1998 upon Shri Joginder Singh, Peon, PS & LB Division, Punjab National Bank is justified and reasonable. The workman applicant is not entitled to get any relief as prayed for.

The Award is given accordingly.

Date 02-06-2005.

R.N. RAI, Presiding Officer

नई दिल्ली, 9 जून, 2005

का.आ. 2338.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-2, नई दिल्ली के पंचाट (संदर्भ संख्या 97/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-06-2005 को प्राप्त हुआ था।

[सं. एल-12012/175/2001-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 9th June, 2005

S.O. 2338.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 97/2001) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi now as shown in the Annexure, in the industrial dispute between the management of Central Bank of India and their workmen, which was received by the Central Government on 8-6-2005.

[No. L-12012/175/2001-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

MINISTRY OF LABOUR

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,**

**RAJENDRA BHAWAN, GROUND FLOOR,
RAJENDRA PLACE, NEW DELHI**

I. D. No. 97/2001

Presiding Officer : R. N. Rai.

In the Matter of :—

Shri Ajay Kumar,
Pocket C-11,
House No. 73,
Sector-5, Rohini,
New Delhi

Versus

The Regional Manager,
Central Bank of India,
Regional Office,
B(North), 1st Floor,
Chandni Chowk,
Delhi-110006.

AWARD

The Ministry of Labour by its letter No. L-12012/175/2001 (IR(B-II) Central Government Dt. 14-12-2001) has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of Regional Manager, Central Bank of India, Regional Office, B(North), 1st Floor, Chandni Chowk, Delhi-6 in removing from services

to Shri Ajay Kumar, Ex. Peon, Central Bank of India, Regional Office w.e.f. 29-04-2000 is justified, valid and legal? If not, what relief and benefits the concerned workman is entitled to?”

2. The workman applicant has filed statement of claim in the statement of claim, it has been stated that the workman concerned in the present dispute was appointed as a peon in the services of Central Bank of India in the year 1986 and his service conditions had been, at all times relevant to the present dispute, governed by the provisions of the Sastry Award, as modified in the Desai Award and a further modified in the subsequent bipartite settlements reached between the managements of various banks including Central Bank of India and their workmen, from time to time.

That Central Bank of India is a statutory corporation, created by the banking Companies (Acquisition and Transfer or Undertaking) Act, 1970 and is, therefore, an ‘other authority’ within the meaning of Article 12 of the Constitution of India and as such, is required to act fairly towards its employees in matters relating to their service conditions.

That in August, 1999, when the workman was posted at the Bank's Regional Office-B, Delhi, he was served upon a charge-sheet dated 18-08-1999 issued by the Bank's Regional Manager at its Regional Office-B, Delhi thereby also simultaneously instituting a departmental inquiry against him, without giving to him even an opportunity to give his explanation as to the charge framed against him, as provided in clause 19.1 of the bipartite settlement dated 19-10-1966 and also appointing an inquiry officer for holding the inquiry, by orders in the chargesheet itself.

That the above charge-sheet dated 18-08-1999 was issued to the workman three months after he was placed under suspension on 24-05-1999. That the inquiry officer commenced the departmental inquiry against the workman on 13-09-1999 and concluded the same on 22-11-1999. Where after the Presenting Officer of Management and the workman's representatives submitted to the inquiry officer their respective written briefs. That thereafter, the Regional Manager/Disciplinary Authority forwarded to the workman with his letter dated 06-01-2000 a copy of the Report/Findings of the inquiry officer dated 03-01-2000 and, as desired thereby, the workman submitted to the disciplinary authority his representation dated 24-01-2000 against the said Report/Findings of the inquiry officer. A copy of the said representation of the workman dated 24-01-2000 is enclosed as Annexure-W/2 hereto.

That this was followed by a show cause memorandum dated 03-04-2000 issued to the workman by the disciplinary authority, thereby proposing the punishment of REMOVAL OF THE WORKMAN FROM SERVICE against the workman together with the further punishment that the workman would not get the increment which became due to him during the period of his suspension. That, as directed by the disciplinary authority in the above show cause memorandum dated 03-04-2000, the workman appeared before him for a hearing on 17-04-2000 and showed cause against the orders of the proposed punishments. A copy of the minutes the said

hearing is enclosed a Annexure-W/3 hereto. That after the hearing dated 17-04-2000, the disciplinary authority proceeded to pass a final order dated 29-04-2000, thereby confirming the orders of the proposed punishments, as made in the show cause memorandum dated 03-04-2000. A copy of the said final order is enclosed as Annexure-W/4 hereto.

That aggrieved by the orders of the disciplinary authority, the workman submitted an appeal dated 05-06-2000 to the Bank's Asstt. General Manager at its Zonal Office, New Delhi. The original copy of the appeal is with the Bank as part of enq. Record. That the appeal of the workman was heard by the aforesaid appellate authority on 27-06-2000, but was rejected by him vide his orders dated 07-08-2000. That the workman then sent a notice dated 12-09-2000 to the management, thereby demanding the withdrawal of the punishment order dated 29-04-2000 and his reinstatement in service with all consequential benefits, but the workman did not hear anything from the management in reply to his above demand notice and so, he raised an industrial dispute before the Asstt. Labour Commissioner (C), New Delhi over the illegal and unjustified action of the management in removing him from service from 29-04-2000. A copy of the aforesaid demand notice of the workman dated 12-09-2000 is enclosed as Annexure-W/5 hereto.

The very initiation of disciplinary proceedings against the workman *vide* charge-sheet dated 18-08-1999 was unfair and illegal for the reason that the departmental inquiry was instituted against the workman by an order in the charge sheet itself and even the appointment of the inquiry officer was made at the same stage without /before giving to the workman the prescribed opportunity to give his explanation as to the charge against him, which was, for the first time, framed in the charge-sheet dated 18-08-1999, which was in contravention of the following provisions of clause 19.1 of the bipartite settlement dated 19-10-1966 as well as in violation of the principles of natural justice :—

19.1. In supersession of paragraphs 18.20, 18.24 and 18.28 of the Desai Award, a person against whom disciplinary action is proposed or likely to be taken, shall in the first instance, be informed of the charge against him, and he shall have a proper opportunity to give his explanation as to such particulars.”

The disciplinary authority had acted arbitrarily and in violation of the principles of natural justice by rejecting the workman's reply dated 10-06-1999 to the preliminary memo of the Bank dated 05-06-1999, with just a cryptic remark in the charge-sheet that “it was not found satisfactory” without adducing any reasons for his such dissatisfaction with the said reply of the workman.

The disciplinary authority had also acted illegally and in violation to the principles of natural justice by not furnishing to the workman with the charge-sheet any list of documents and witnesses in support of the charge framed by him against the workman, which showed that he had framed the charge without considering any evidence in its support and which, therefore, was a fatal infirmity in

the initiation of disciplinary action by him against the workman. In fact in not supplying to the workman any such list of documents and witnesses with the charge-sheet, the disciplinary authority had even disregarded the government directions, as conveyed to all nationalized banks by a letter dated 03-07-1984 which was circulated by the Bank's Central Office to all senior executives of the Bank under cover of a circular dated 23-08-1984.

The inquiry was also conducted in an illegal manner in as much as that the inquiry was allowed to proceed entirely on the basis of evidence which was decided by a person other than the disciplinary authority after the commencement of the inquiry. It is submitted that the framing of charge by disciplinary authority without himself considering/deciding any evidence in the support thereof and the deciding of entire evidence in the support of the charge after the commencement of the inquiry, by another person, i.e. the Presenting Officer appointed by the disciplinary authority to present the Management's case in the inquiry was like putting the cart before the horse, which was utterly illegal and which vitiated the inquiry held against the workman.

The inquiry held suffered from another grave illegality for the reason that the inquiry officer had admitted into evidence all the documents filed by the Presenting Officer of the Management including the previous statement of a proposed witness of Management obtained behind the back of the workman without/before having the said documents first proved through the relevant/concerned witnesses as per the basic and essential rule governing the conducting of departmental inquiries. Because the inquiry held was also unfair for the reason that although the Presenting Officer of Management had listed five witnesses to prove the charge against the workman, but he withheld from the inquiry two of these listed witnesses, namely Sh. Rakesh Khurana and Shri Ram Chander, who both were material and essential witnesses of the case, in as much as that while Shri Ram Chander had statedly checked the entire cash to trace the purported difference of Rs. 50,000/- in the cash, Shri Rakesh Khurana had statedly searched for the missing cash of Rs. 50,000 in the Branch. While the above two listed witnesses were withheld from the inquiry without giving any reason for their non-production, thereby depriving the workman of an opportunity to cross examine them, another material witness who was not produced/examined in the inquiry was one Shri G. S. Mishra, the officiating chief cashier-incharge of the cash department on the concerned date. Thus the management had acted in colourable use of its power by withholding the above three material and essential witnesses of the case, thereby preventing the full facts and the truth from coming to surface in the inquiry.

The inquiry conducted against the workman was unfair also for the reason that although the Presenting Officer of Management had filed in the inquiry a letter dated 20-05-1999 or one Shri Adish Kumar Jain, the Asstt. Cashier, in whose cash, the shortage of Rs. 50,000/- had been reported on 20-05-1999 after the workman had handed over to him the cash given to the the workman for being stitched into packets

to the said Mr. Jain but the letter originally written by the said Mr. Adish Kumar Jain on 20-05-1999 was not produced in the inquiry, even though he disclosed in cross examination in the inquiry that the said letter dated 20-05-1999 which was produced in the inquiry was the one obtained from him on 21-05-1999 by the Manager and Dy. Manager of the branch by altering the version of the incident as was originally written by him in his letter of 20-05-1999 by telling him that if he did not change the version as given by him in his originally written letter of 20-05-1999 and did not give a fresh letter, as desired by them, he would himself get involved for the loss of Rs. 50,000. It is submitted that by withholding the letter originally written by Shri Adish Kumar Jain giving the version of the incident of the shortage of Rs. 50,000 reported in his cash on 20-05-1999, the workman had been deprived of the opportunity of knowing as to what was his original version of the said incident of 20-05-1999. It is stated that the withholding of the said material document and producing in its place another letter with altered version obtained from Mr. Jain by the authorities of the branch, amounted to tampering with evidence with the mala fide intention of making the workman scapegoat to save Mr. Adish Kumar Jain, who had received the stitched cash handed over to him by the workman, without having pointed out any shortage in the said stitched cash at the time of receiving the said stitched cash from the workman on 20-05-1999.

The findings of the inquiry officer, on which the disciplinary authority had based his orders of proposed punishment against the workman in the show cause memorandum dated 03-04-2000 were completely perverse and unsustainable. That the Assistant Cashier, Mr. Adish Kumar Jain, who had reported the shortage of Rs. 50,000 in his cash only in the afternoon of 20-05-1999, had not complained of/reported any shortage in the cash which had been given to the workman for being stitched into packets in the morning at the time the stitched cash was handed back to Mr. Adish Kumar Jain by the workman. This fact clearly proved that the said shortage had taken place after the workman had handed over the stitched cash to Mr. Adish Kumar Jain in the forenoon of 20-05-1999. That Mr. Adish Kumar Jain, the Cashier concerned, failed to produce/show any record in the inquiry as to how many packets of Rs. 500/- denomination he had given to the workman for being stitched in the morning of 20-05-1999.

That even between the time when Mr. Adish Kumar Jain had received the stitched cash from the workman in the forenoon of 20-05-1999 and the tallying of his cash by Mr. Adish Kumar Jain in the afternoon of that day, he had not complained of/reported any shortage in his cash, nor had been reported to any officials of the Branch that the workman had returned to him one packet of Rs. 500/- denomination less in the forenoon after the stitching of the cash given to the workman for that purpose. This showed that the story of there being shortage of one packet of Rs. 50,000/- in his cash, reported at the time of tallying his cash in the afternoon was a self-serving, after-thought story.

The cash given to a cash peon by a cashier for being stitched into packets is duly counted by the concerned cashier at the time of receiving back the stitched cash from the cash peon, there could be no question of the workman returning one packed of Rs. 500/- denomination less to the cashier, Mr. Adish Kumar Jain, more particularly when Mr. Adish Kumar Jain had not pointed out any such shortage at the time of receiving back the stitched cash from the workman. That simply because the missing packet of Rs. 500 denomination was traced in the old record room of the Branch later on, did not by itself mean that it was placed there by the workman, more particularly when the workman had handed over to Mr. Adish Kumar Jain the entire cash which was given to the workman for stitching by the said cashier, Mr. Adish Kumar Jain, who had accepted the same as intact without pointing out any shortage therein at that time. That the admitted fact that Mr. Adish Kumar Jain had changed the original version of the incident of 20-05-1999 on 21-05-1999 at the instance of the Branch Manager and Dy. Branch Manager, as transpired in the inquiry, clearly pointed to a foul play and a pre-plan of the management to make the workman a scapegoat to save Mr. Adish Kumar Jain from the consequences of the loss of Rs. 50,000/- from his custody after the entire stitched cash was handed over to Mr. Jain by the workman in the forenoon of 20-05-1999.

However, withholding of increment of a charged employee is also one of the punishments prescribed in the bipartite settlements. Paragraph 85 of the Sastry Award makes it clear that "increments should normally be given and stoppage of increments by management should be only by way of punishment for proved misconduct or gross inefficiency". It, therefore, follows that the orders of the disciplinary authority for non-release of workman's increment falling due to him during the period of his suspension, was passed by him by way of imposition of another punishment, in addition to the punishment of removal from service, which means that the disciplinary authority had awarded two punishments to the workman for the same single charge framed against him in the charge-sheet dated 18-08-1999. Since imposition of two punishments for any one charge, as done by the disciplinary authority in the case of the workman, was prohibited by clause 19.9 of the bipartite settlement dated 19-10-1966, the punishment orders passed by the disciplinary authority was invalid and is liable to be set aside on this ground alone.

The management has filed written statement. It has been submitted that the workman applicant was given seven packets of Rs. 500 each to the workman for stitching but the workman returned only six packets back and thus there was a shortage of Rs. 50,000 (Rs. Fifty Thousand) cash and when Shri Adish Kumar Jain pointed out inquired from the workman he replied that whatever packet he received from Adish Kumar Jain the same has been returned and nothing left to him. During the inquiry proceedings it is proved that the workman removed one

packet of Rs. 500 denomination and returned the same in the defence to the Branch Manager on his persuasion. Most of the paras of the claim statement have been denied. It has been further stated that a proper inquiry was conducted and sufficient opportunity was given to the workman applicant. He was found guilty to the admitted theft of Rs. 50,000 (Rs. Fifty Thousand) so he was given the punishment of removal from service.

The workman has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and denied most of the paras of the written statement.

The workman has not been turning up for a long time. So notice on 20-09-2004 and 02-02-2005 has been sent to the workman. It has been returned with the endorsement that none of the name of the workman resides in that house so the workman did not turn up despite proper notice and knowledge of the case. The management occasionally turned up. The cross of the workman was closed and the case was posted for argument. None was present on 01-07-04, 25-08-04, 10-09-04, 27-10-04, 02-02-05, 12-05-05 & 17-05-05. The workman did not turn up despite notices. He has given affidavit but he did not make himself available for cross examination so his cross examination was closed on account of his absence. Thus claim statement of the workman applicant has not been proved because of his absence.

The reference is replied thus :—

The action of the Regional Manager, Central Bank of India, Regional Office, B(North), 1st Floor, Chandni Chowk, Delhi-6 in removing from services to Shri Ajay Kumar, Ex. Peon, Central Bank of India, Regional Office w.e.f. 29-04-2000 is unjustified, valid and legal. The workman applicant is not entitled to get any relief as prayed for.

The Award is given accordingly.

Date : 06-06-2005 R. N. RAI, Presiding Officer

नई दिल्ली, 9 जून, 2005

का.आ. 2339.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्थ वेस्टर्न रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या सी.जी.आई.टी. 36/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-06-2005 को प्राप्त हुआ था।

[सं. एल-41012/253/2003-आई आर(बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 9th June, 2005

S.O. 2339.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT 36/2004) of the Central Government Industrial Tribunal Labour Court Jaipur now as shown in the Annexure, in

the industrial dispute between the management of North Western Railway and their workmen, which was received by the Central Government on 8-6-2005.

[No. L-41012/253/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-36/2004

Reference No. L-41012/253/2003-IR(B-I)

Shri Gulab Singh (deceased),
S/o. Sh. Meeru Singh,
Through his legal heir Smt. Dhoban Kaur,
W/o. Late Sh. Gulab Singh,
Daudpur, Gurunanak Colony,
Alwar (Rajasthan)Applicant
Versus

1. The Assistant Engineer,
North Western Railway,
Alwar
2. Divisional Railway Manager,
North Western Railway,
Jaipur.Non-applicant

Present :

Presiding Officer : : Sh. R. C. Sharma
For the applicant : Sh C.D. Chaturvedi.
For the non-applicant : Sh. Balvinder Singh.
Date of award : 31-5-2005.

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of sub-section 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (herein after referred to as the 'Act') has referred the following industrial dispute for adjudication to this Tribunal which runs as under :—

"Whether the action of the management of Railway Administration, Jaipur through Asstt. Engineer, NWR, Alwar in terminating the service of deceased Shri Gulab Singh, Gangman from 8-8-97 is legal and justified ? If not, the widow of the deceased is entitled for pensionary benefit etc. or not ?"

2. The facts, in brief, are that the legal heir Smt. Dhoban Kaur, wife of the deceased Gulab Singh (workman) has submitted a statement of claim in pursuance of the reference that her husband Gulab Singh was appointed on 4-1-1976 as a Gangman at Padisal Railway station, Distt. Alwar, who remained on leave on account of his sickness. But his service was terminated on 8-8-97 on the ground that he remained on unauthorized leave w.e.f. 11-1-95 till his termination. It has been further stated that the chargesheet was not served upon him and his service was

terminated without giving him an opportunity of hearing. It has been further pointed out that the workman Gulab Singh expired on 16-2-2002 during the conciliation proceedings pending before the Assistant Labour Commissioner. The applicant has urged that the termination order dated 8-8-1997 passed against her deceased husband Gulab Singh be set aside and treating him to be in service till the date of his death all the admissible benefits be allowed to her. It is also prayed that all benefits which are admissible to the dependent of the deceased be also granted to her.

3. The non-applicants, in their written counter, have stated that the workman had remained on unauthorized leave for a period of 2248 days, in total, between 1990 to 1997, to whom a notice was sent by the management which was returned unserved and thereafter the chargesheet was sent at his residential address which was also returned unserved. Thereafter the domestic enquiry was initiated as per rules. It has also been stated that the workman has never submitted any application for his absence along with his sickness certificate. The non-applicants have further stated that the applicant is not entitled for any relief.

4. By the order dated 2-2-2005, this court has found the domestic enquiry conducted against the workman to be defective and unfair.

5. On 9-2-2004, the applicant moved an application accompanied with certain documents and has urged that since the tribunal has declared the departmental enquiry as unfair, in view of the settled law towards such cases, where the workman has been expired during the proceedings, the full relief is being granted to the dependents of such workman. The applicant has, therefore, prayed that full back-wages and other service benefits for the above period be granted to her as the legal heir of the deceased workman and the family pension also be granted in her favour.

6. The non-applicant have opposed this application in their reply dated 26-4-2005 by stating that the applicant is not entitled for any relief.

7. On 23-2-2005, the non-applicants have petitioned before the court that in the interest of justice an opportunity be given to them for adducing the evidence to prove the charge levelled against the deceased workman. It has been orally opposed on behalf of the applicant.

8. I have heard both the parties and have gone through the record.

9. The pertinent question which emerges for determination is whether on account of the death of the workman, the bank be permitted to lead its evidence in support of the charges levelled against the workman.

10. The Id. representative for the applicant contends that due to the death of the workman the charges cannot be proved against him by adducing the evidence on behalf of the bank and that there is no justification now to lead

the evidence. His contention is that it was the deceased workman who could be able to confront the management witnesses in their cross-examinations. On the other hand, the Id. representative for the non-applicants has submitted that once the dispute has been referred to the tribunal it should prefer to pass an award by giving an opportunity of leading the evidence to the parties.

11. I have bestowed my thoughtful consideration to the rival contentions and have carefully perused the judicial pronouncement 1995 (70) FLR Raj. 244 relied upon by the representative for the applicant on the point.

12. In 1995 (70) FLR Raj. 244 referred to on behalf of the applicant, the facts are that the workman died on 7-12-87 during the pendency of the reference who was survived by his wife and sons, who were made the parties. The enquiry held against the workman by the Life Insurance Corporation of India had been held to be unfair by the Tribunal during the lifetime of the workman and the Corporation was granted the permission to lead the evidence to prove the charge levelled against the workman. The Tribunal arrived at a conclusion that the charges were proved. But it directed that the workman was entitled to wages up to 7-12-87 which may be paid to his legal heirs. Both the parties challenged the award by filing the writ petitions before the Tribunal respectively which were dismissed.

13. The Hon'ble DB has observed that the facts relating to the termination order, holding the enquiry unfair and the death of the workman were undisputed. It was also observed that the charge against the concerned workman was held to be proved on the basis of the evidence which was led before the Tribunal by the employer after the death of the concerned workman. On these facts, the observation made by the Hon'ble Court is quoted as below:—

".....we are of the considered opinion that since the workman had died on December 7, 1987 and it had already been held earlier by the Tribunal that the enquiry held by the employer was unfair, the appellant could not seek to prove the charge after the death of the concerned workman. No charge can be proved on the basis of the evidence tendered after the death of the charge-sheeted workman. Argument of Shri Agrawal is that the charge could be proved even after the contemporaneous record as the charge was only of not giving the prescribed standard of work. We do not agree with this argument for the simple reason that only the deceased workman could confront the employer with the circumstances in which the prescribed standard of work could not be done by the legal representative, i.e., the widow of the deceased workman and his sons. Only the deceased workman could confront the witnesses of the employer with such circumstances in which it may not have been possible for him to give the prescribed standard of work. Therefore, to say that the work put in by the concerned employee

workman was on record and the requisite standard of work had been prescribed and therefore the charge could be proved even against a dead person without causing any prejudice to him is wholly misconceived, rather ill-conceived. In such circumstances, we do not find that the Tribunal committed any illegality in granting the relief of wages and other consequential financial benefits to the legal representatives of the deceased workman on the basis of the Supreme Court decision in *Deshraj Gupta Vs. Industrial Tribunal, Lucknow* for the period from the date of the termination to the date of the death of the workman."

14. Evidently, the facts of the referred to case are squarely applicable to the present controversy and the contention canvassed on behalf of the non-applicants is fortified by the observations made by the Hon'ble Court.

15. The Id. representative for the applicant then, while relying upon 1994 SCC (L&S) 1981, has contended that the applicant also deserves to be granted the pensionary benefits. In this case, the departmental enquiry was initiated against the petitioner-delinquent who died during the proceedings of the departmental enquiry. The Hon'ble Apex Court has rendered a direction to the respondents to grant the appellant (legal heirs of the deceased) the pensionary benefits according to the rules. The facts of this case also cover the present controversy and in the light of this decision it would be expedient in the interest of the justice to issue a direction to the non-applicants to consider applicant's case for the grant of the pensionary benefits according to the rules.

16. On facts and in the light of the decision rendered in 1995 (70) FLR Raj. 244, in the instant case, the non-applicants cannot be permitted to lead the evidence to prove the charge levelled against the workman on account of his death during the pendency of the conciliation proceedings. Following the principles enunciated in the decisions supra, the applicant, who being the legal heir of the deceased workman is entitled to get the full wages from the date of his dismissal from the service i.e. 8-8-1997 till the date of his death i.e. 16-2-2002. She is also entitled to other financial benefits which the deceased workman could receive up to the date of his death. The non-applicants are further directed to consider the applicant's case for the grant of pensionary benefits to her according to the departmental rules. Both these applications are disposed of in this manner and the reference is adjudicated to this effect and an award is passed in these terms accordingly.

17. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 9 जून, 2005

का.आ. 2340. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या सी जी आई टी 28/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08-06-2005 को प्राप्त हुआ था।

[सं. एल-12012/184/2003-आईआर(बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 9th June, 2005

S.O. 2340.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Case No. CGIT-28/2004) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on 8-6-2005.

[No. L-12012/184/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-28/2004

Reference No. L-12012/184/2003-IR(B-I)

Sh. Ram Singh Rajput
S/o Sh. Bhawani Singh,
C/o Secretary, HMS, Bengali Colony,
Chhawani, KotaApplicant

Versus

The Branch Manager,
State Bank of India,
Ind. Area, Branch Newai, Distt. (Raj.),
Tonk (Raj.) ... Non-applicant

PRESENT:

Presiding Officer : SH. R.C. SHRMA.

For the applicants: Sh. Arun Sharma

For the non-applicants : Sh. Yashpal Garg.

Date of award : 30-5-2005

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of Sub-sections 1 and 2(A) to Section 10 of the Industrial Disputes Act, 1947 (herein-after referred to as the 'Act') has referred the following industrial dispute for adjudication to this Tribunal which runs as under :—

"Whether the contention of Shri Ram Singh Rajput that he has worked continuously for more than 240 days in consecutive 12 months during the period from 1-9-94 to 15-3-2003 is correct and justified? If yes, whether the action of the Branch Manager, State Bank of India, Industrial Area Br., Newai, Distt. Tonk (Raj.) in terminating the service of the workman w.e.f. 15-03-2003 is legal and justified? If not, to what

relief the workman is entitled to and from which date?"

2. The claimant in his claim statement has pleaded that he was employed as a 4th class by the non-applicant on 1-9-1994 at the Newai Branch, Distt. Tonk, who continuously worked up to 13-3-2003 and had completed more than 240 days of actual work during this period. But on 15-3-2003 his service was terminated in violation of Section 25-F of the Act. He has also averred that prior to him Shri Mohan Lal Gurjar was working in the bank whose service was confirmed in the year 1994 and after his appointment at Jhalawar he was substituted at his place. He has stated that the junior persons to him were retained while terminating his service and that after his termination Shri Mahesh Sharma was appointed by the management.

3. Resisting the claim, the non-applicant in his written counter has averred that no relationship of employer-employee existed between both the parties, that the claimant is not a workman as defined under the Act and the local implementation committee is a body of the bank officers and employees, which had employed the workman as a canteen boy from September, 1994 to January, 2003 to serve the tea and snacks to them and to the bank customers. The non-applicant has further stated that the workman was never employed by the bank as a 4th class, that he did not carry out any task of the bank during his period of employment as canteen boy and that the bank exercises no control over Local Implementation Committee (for short, 'LIC'). The non-applicant has also stated that the case is not covered by the definition of retrenchment as defined under Section 2(oo) of the Act and had specifically denied any contravention of the provisions under Section 25-G and 25-H of the Act respectively. He has also pleaded that the bank is not an industry for the claimant.

4. In the rejoinder, the workman has reiterated the facts as narrated in the statement of claim.

5. On the pleadings of both the parties, the following points for determination were framed :—

- I. Whether the workman was appointed by the non-applicant bank on 01-09-1994 as a 4th class employee on daily wages, who continuously worked up to 14-03-2003 and whose service was terminated on 15-3-2003 in violation of Section 25-F of the Act? BOA
- II. Whether after the termination of the service of the workman fresh hand named Shri Mahesh Sharma was appointed by the non-applicant bank in violation of Section 25-H of the Act? BOA
- III. Whether the applicant is a workman as defined under Section 2(S) of the Act? BOA
- IV. Whether in the present case the non-applicant bank is not an industry under the provisions of the Act? BONA

V. Relief, if any.

6. In the evidence, the workman has placed his affidavit. In the rebuttal, the counter affidavits of MW1 Ramchandra Man Singhani, retired Branch Manager and MW2 B. L. Bairwa, Deputy Manager have been submitted. All the witnesses were cross-examined by the opposite representatives respectively.

7. The workman has also led the documentary evidence by exhibiting as many as 148 documents, whereas no-applicant has brought on record 8 cheques which are stated to have been issued by the LIC.

8. I have heard both the parties and have scanned the record. The point-wise discussion follows as under :—

Point No. I & III

9. Both these points contain the identical questions of facts and law, which are discussed together hereunder.

10. The Id. representative for the workman contends that the workman has come out with a case that he had completed 240 days of work during the entire tenure from 1-9-1994 to 13-3-2003 as a 4th class employee appointed by the bank. His service was terminated w.e.f. 15-3-2003 without following the provisions under Section 25-F of the Act. The Id. representative then has contended that the non-applicant in his written statement has admitted that the workman has worked with the bank during this period, but to make out a different case he has cleverly said that the workman was working as a canteen boy. The Id. representative while placing his reliance on the documentary evidence has argued that the workman has submitted 148 documents to prove that various jobs were assigned by the bank to him and for which the payment was made by the bank. His contention is that the submission that these documents are forged is not maintainable since the bank could not prove it by producing the original record lying with it. These documents, as per his submission, were submitted before the conciliation officer in presence of the non-applicant, who had never stated that they are forged documents. The Id. representative, therefore, contends that it is undoubtedly established that the workman has worked from September, 1994 to January, 2003 as a 4th class with the bank. It has been submitted on behalf of the workman also that the bank has not placed on record any agreement entered into by the LIC and the workman to serve as a canteen boy.

10A. Arguing contra, the Id. representative for the bank contends that the workman has alleged that he was appointed by the Deputy GM as a 4th class, which is unnatural since the Assistant GM is the competent authority to appoint him as the 4th class and no document has been placed on record to prove this fact. His next contention is that the bank had never appointed him, but the LIC had employed him as a canteen boy. The Id.

representative have further questioned the genuineness of the documents placed on behalf of the workman by arguing that they do not carry the signatures of the Branch Manager as well as the cashier and are fake documents. His second contention on this point is that on the basis of these documents it could not be proved that the workman had completed 240 days of work in a calendar year during the said period. He has also submitted that a few of the documents e.g. Ex. W97 to W99 show that he received the payment as a canteen boy which is his admission.

11. I have bestowed my thoughtful consideration to the rival contentions and have carefully gone through the judicial pronouncements referred to before me by both the parties.

12. Now, the questions which emerge for determination are (i) whether the workman had completed 240 days of continuous work under the employment of the bank in a calendar year preceding to the date of his termination and (ii) whether during the period of his employment, he discharged his duties as a canteen boy engaged by the LIC.

13. To establish his claim the workman in his evidence has exhibited as many as 148 documents. Ex. W1 to W90 along with few others are the applications addressed by the workman to the Branch Manager for payment of conveyance charges which he incurred to carry out the works of the bank. Although, these documents do not bear the seals of the bank, yet the payment order has been passed thereupon. Ex. W 135 to W 147 are the slips of the bank containing the details of the clearing cheques, which are stated to have been handed over to the workman for receiving their payment on behalf of the bank. With the assistance of these documents, the workman has sought to prove that he was employed by the bank to perform as a 4th class and as a part of his duties he had carried out the jobs assigned to him by the bank during the alleged period, i.e., from 1-9-1994 to 13-3-2003. But it has been contended on behalf of the bank that on the basis of these documents it is not proved that the workman had completed 240 days of actual work in any of the calendar years. During the course of the arguments, on behalf of the workman it could not be specifically pointed out as to in which calendar year the workman has completed over 240 days of actual work during this tenure. On a careful scanning of these documents it is revealed that on various dates the workman submitted the applications before the Branch Manager for payment of conveyance charges. On the basis of these applications total number of 240 days in any calendar year in the period in question cannot be reckoned. In other words, it is not possible to calculate the working days in a calendar year performed by the workman.

14. Similarly, the slips containing particulars of the cheques have been issued by the bank on various dates which do not go to show as to in which year the workman

had worked 240 days in a calendar year. Although the voluminous documentary evidence has been brought on the record, but it is nothing except the applications submitted on various dates by the workman and the slips containing the particulars of the clearing cheques issued by the bank on the various dates. Even if these documents are read in sequence of the various dates on which they have been written, they do not establish the fact that the workman had completed 240 days of actual work in any of the calendar years ranging between September, 1994 to March, 2003. Thus, the workman could not satisfactorily discharge the onus of proving the fact on the basis of documentary evidence that he had completed 240 days of actual work in any calendar year prior to the date of his termination.

15. Now, I proceed to analyze the oral evidence led by both the parties. The workman in his cross-examination has admitted that no appointment letter was issued in his favour by the bank. He has further admitted that the payment of wages was made to him through the cheques, which were credited into his account. It is also his admission that he had submitted the applications Ex. W 97, W98 and W99 wherein he has stated that he has performed the work of the canteen for which the payment be made to him. At one place in his cross-examination he has pleaded ignorance as to whether the remuneration was made to him by the LIC, whereas on another place he has admitted this fact that it is correct to say that formerly the LIC paid him monthly consolidated wages of Rs. 350, which was subsequently increased to Rs. 500 per month. He has admitted that he received the payments through the cheques Ex. M1 to M4 and has again pleaded the ignorance whether these cheques bear the signatures of the Chairman and Secretary of LIC respectively. As such, from the oral testimony of the workman, too, it could not be established that he had completed 240 days of actual work in a calendar year in the aforesaid duration. Beyond it, it is reflected from his evidence that he was employed by the LIC on the payment of monthly consolidated wages which used to be credited in his account and the plea of the bank is corroborated by the cheques Ex M1 to Ex. M 8 whereby the remuneration was paid to him as a canteen boy.

16. Adding to it, the management witness Ramchandra Mansinghani has deposed that the workman was not appointed by the bank but he was employed as a canteen boy by the LIC. In his cross-examination he has stated that in the month of May, 1998 he was transferred from the present branch and till then he had seen the workman working as a canteen boy.

17. The 1d. representative for the workman has contended that MW2 Babulal Bairwa had admitted in his cross-examination that the workman had worked continuously in the bank from January, 2002 to February, 2003. But this witness in continuation of the piece of this

statement has further pointed out that he was performing as a canteen boy. Therefore, the submission made on behalf of the workman cannot be maintained that he had worked in this period as a 4th class employee.

18. The Id. representative for the workman has referred to the decisions reported in 1965(3) SCR 418; AIR 1957 SC 264; 2003 Lab IC Bombay 2789 and 1995 (1) RLR 704 on the point, but the facts thereof are distinguishable from the case on hand and on this factual background they are not applicable to the present controversy.

19. The Id. representative for the workman has then contended that even if it is presumed that the workman was performing as a canteen boy, he will be deemed to be a employee of the bank and the Id. representative has drawn my attention towards the decision reported in 1994 (69) FLR Bombay 189. In this case, the workmen were working in the mess of the government college's hostels, whose claims were dismissed by the Industrial Court on the ground that no relationship of employer-employee existed between the parties. The Hon'ble High Court has observed that looking to the totality of the facts and circumstances of the case the state of Maharashtra appears to be the employer of the concerned workmen working in the mess attached to the hostels. But the facts of the present case are entirely distinguishable wherein, firstly, the workman has not been able to prove that he was employed as a 4th class by the bank itself and, secondly, it could not be shown on behalf of the workman as to whether the non-applicant bank was under a statutory obligation to provide the canteen facilities to its employees.

20. By contrast, the Id. representative for the non-applicants has referred to AIR 2000 SC 1518. In this case, the question which came up for consideration before the Hon'ble Supreme Court was whether the employees of the canteens of some of the branches of State Bank of India can claim to be absorbed as employees of the State Bank of India.

21. The Hon'ble Court has observed that "it is admitted position that in law if there is an obligation to provide the canteen, the employees working in the canteen would be employees of the bank, and if not, the employees working in the canteen may not become part of the establishment".

22. The Hon'ble Court further goes on to observe that there was no statutory, legal or contractual obligation of the bank to run the canteen or provide for canteen in its branches. The relevant passage of the observation is quoted as below :—

"In the present case also, the facts are also similar. There is no obligation statutory or otherwise to run the canteens by the Bank. The scheme is stated above only provides for grant of subsidy, for promoting running of canteen and if some more cost is incurred in running the canteen, the members of the staff working in that particular

branch are required to bear it. The Bank is not employing the canteen workers. The Bank is not supervising or controlling the work or the details regarding the canteen or its employees appointed by the Local Implementation Committee."

23. On the basis, the Hon'ble Court has propounded that **"we, therefore, hold that employees of the canteens which are run at various branches by the Local Implementation Committees as per the welfare scheme framed by the SBI would not become employees of the Bank as the Bank is not having any statutory or contractual obligation or obligation arising under the Award to run such canteens"**.

24. In the light of the principle enunciated by the Hon'ble Court in the decision supra, the submission advanced on behalf of the workman does not find any assistance. Since the claimant was not employed by the bank itself as a 4th class, no nexus of employer-employees existed between the contesting parties and in view of the matter, he cannot be treated to be a workman as defined under Section 2(S) of the Act. As such, both these points are decided against the workman.

Point No. II

25. The workman in his affidavit has deposed that after the termination one Shri Mahesh Sharma was appointed in his place. It has been denied by the management witnesses. In the cross-examination, the workman has stated that he has not seen the appointment letter of Mahesh Sharma and has further pleaded his ignorance as to whether he was employed as a canteen boy. Thus, no definite and positive evidence could be adduced by the workman to prove that after his termination new hand was recruited without affording him an opportunity of the employment. This point, therefore, is decided against the workman.

Point No. IV

26. This point has not been pressed on behalf of the bank. It is, therefore, decided against the bank.

Relief

27. For the forgoing reasons, the workman is entitled to no relief.

28. In the result, the reference is answered in the negative to this effect that the contention of the claimant Ram Singh Rajput that he was worked continuously for more than 240 days in consecutive 12 months during the period from 1-9-1994 to 15-3-2003 is incorrect and unjustified and his termination order dated 15-3-2003 is legal and justified. His claim is dismissed. An award is passed in these terms accordingly.

29. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R.C. SHARMA, Presiding Officer

नई दिल्ली, 9 जून, 2005 .

का.आ. 2341.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिनरल एक्सप्लोरेशन कॉर्पो. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, उदयपुर के पंचाट (संदर्भ संख्या 2/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-6-2005 को प्राप्त हुआ था।

[सं. एल-29011/60/98-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th June, 2005

S.O. 2341.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/99) of the Industrial Tribunal, Udaipur as shown in the Annexure in the Industrial Dispute between the management of Mineral Exploration Corp. Ltd., and their workman, which was received by the Central Government on 9-6-2005.

[No. L-29011/60/98-IR (M)]

B. M. DAVID, Under Secy.

अनुबंध

न्यायालय : न्यायाधीश, औद्योगिक विवाद अधिकरण एवं
श्रम : न्यायालय, उदयपुर

पीठासीन अधिकारी : उषा अग्रवाल, आर. एच. जे. एस.

प्रकरण संख्या : 2/99

ओ. वि. (केन्द्र सरकार)

शाखा सचिव, मिनरल एक्सप्लोरेशन कॉर्पो. एम्प. यूनियन, जावर
माईन्स, उदयपुर

.....प्रार्थीगण

बनाम

प्रोजेक्ट मैनेजर, मिनरल एक्सप्लोरेशन कॉर्पो. लिमिटेड, जावर
माईन्स, उदयपुर

.....विपक्षी

उपस्थित :

श्री सुभाष श्रीमाली : प्रार्थीगण की ओर से।

श्री बी. एस. बेपुरा : विपक्षी की ओर से।

दिनांक : 31-5-2005

पंचाट

भारत सरकार के श्रम मंत्रालय द्वारा जरिये पत्र क्रमांक : एल-29011/60/98/आई.आर. (एम) दिनांक 20-4-99 को निम्न आशय का प्रसंग इस न्यायालय को अधिनिर्णायक प्रेषित किया गया।

“Whether the action of the management of the Mineral Exploration Corporation Ltd. in laying off 26 contingent workers of Zawar Project is justified? If not, to what relief the workman for entitled to?”

उक्त आशय का प्रसंग प्राप्त होने पर न्यायालय द्वारा दिनांक 19-5-99 को प्रकरण संख्या 2/99 दर्ज रजिस्टर किया जाकर पक्षकारान को नोटिस जारी किये गये, जिस पर प्रार्थी यूनियन की ओर से क्लेम व विपक्षी की ओर से जवाब पेश किया गया।

क्लेम प्रार्थना पत्र के तथ्य संक्षेप में इस प्रकार है कि प्रार्थी यूनियन विपक्षी संस्थान में कार्यरत श्रमिकों का प्रतिनिधि संगठन है तथा इस औद्योगिक विवाद से संबंधित 26 श्रमिक प्रार्थी यूनियन के सदस्य हैं, जिनके नाम संलग्नक-1 सूची में दिये हैं। विवाद से संबंधित श्रमिकों की नियुक्ति प्रारम्भ में अप्रार्थी द्वारा बारोई प्रोजेक्ट के लिये की गयी। इन सभी श्रमिकों के नियुक्ति पत्र में एक शर्त थी कि इनकी सेवाओं का उपयोग जब भी आवश्यकता होगी जावर माईन्स एरिया के किसी की अन्य प्रोजेक्ट में किया जायेगा, एक श्रमिक की फोटो प्रति संलग्नक-2 है। इन 26 श्रमिकों को शुरू में कंटीनजेंट अकुशल श्रमिक के रूप में नियुक्ति दी गयी लेकिन बाद में जावर माईन्स एरिया में विभिन्न परियोजनाओं में इनको स्क्वैड श्रमिक बना दिया गया। नियुक्ति शर्त के आधार पर ही श्रमिकों से बारोई प्रोजेक्ट के अतिरिक्त पहले बलारिया माईन्स प्रोटेक्शन इन्क्लाइन प्रोजेक्ट पर तथा बाद में बलारिया आइटम रेट कान्ट्रेक्ट प्रोजेक्ट पर कार्य दिया गया। दिनांक 6-11-97 को श्रमिक बलारिया आइटम रेट कान्ट्रेक्ट प्रोजेक्ट पर कार्यरत थे, तब अप्रार्थी ने यह कहते हुये इनके लिये कार्य उपलब्ध नहीं है, ले आफ कर दिया। औद्यो. विवाद अधि. 2 (के.के.के.) के अनुसार विपक्षी द्वारा बताये कारण के आधार पर ले आफ नहीं किया जा सकता। 26 श्रमिकों को 6-11-97 से ले आफ किया जाना निम्नलिखित कारणों से पूर्णतः अनुचित एवं अवैध है। श्रमिकों को ले आफ किये जाने का जो कारण बताया वह औ.वि.अधि., 1947 की धारा 2 (के.के.के.) के प्रावधानों के विपरीत है। विपक्षी के पास बलारिया आइटम रेट कान्ट्रेक्ट प्रोजेक्ट के स्थान पर उसी स्थान पर चल रहे अन्य प्रोजेक्ट मोचिया बलारिया कनेक्टिंग ड्राईवर पर पर्याप्त मात्रा में कार्य उपलब्ध था जहां पर 94 श्रमिकों जो विवाद से संबंधित श्रमिकों को ले आफ करने के बाद नियुक्त किया, जिनके नाम संलग्नक सूची-3 में हैं। इन श्रमिकों को इस उद्देश्य से सेवामुक्त किया कि इन्हें बाद में अनुचित एवं अवैध रूप में छंटनी किया जा सके, क्योंकि मिनरल एक्स. कॉर्पो. लि. के संचालक मंडल ने नियमित श्रमिकों व आई.डी.ए. एक्जीक्यूटिव्स के वेतनमान संशोधन करने हेतु राशि बचाने के उद्देश्य से 578 श्रमिकों की छंटनी करने का निर्णय लिया था। निवेदन किया कि विपक्षी द्वारा श्रमिकों को ले आफ किये जाते समय 100 से अधिक श्रमिक कार्यरत थे, अतः विपक्षी संस्थान पर औ.वि.अधि., 1947 के चेप्टर-5-वी के प्रावधान लागू होते थे, इसके बावजूद श्रमिकों को ले आफ करने से पूर्व औ.वि.अधि. की धारा 25 एम. के अनुरूप सक्षम सरकार की अनुमति नहीं ली गयी। निवेदन किया कि मोचिया बलारिया कनेक्टिंग ड्राईव प्रोजेक्ट उसी खान पर शुरू किया गया जिस खान पर बलारिया रेट कान्ट्रेक्ट प्रोजेक्ट आइटम चल रहा है अर्थात् तथाकथित प्रोजेक्ट एक ही खान पर थे, एक ही खान मैनेजर व प्रिंसिपल एम्पलायर के अधीन

थे, यहां तक कि दोनों प्रोजेक्ट में प्रवेश हेतु एक ही शाफ्ट का उपयोग किया जाता था। केवल श्रमिकों को ले आफ/छंटनी कर हानि पहुंचाने के उद्देश्य से इन्हें अलग-अलग प्रोजेक्ट दिखाया गया। विपक्षी इन 26 श्रमिकों को कार्य की समाप्ति व कार्य उपलब्ध न होना बताते हुये अनुचित एवं अवैध रूप से ले आफ किये जाने के स्थान पर उनसे मोचिया बलारिया कनेक्टिंग ड्राईव प्रोजेक्ट पर कार्य लिया जाता तो न तो इन श्रमिकों को ले आफ किये जाने की आवश्यकता थी और न ही इन्हें छंटनी किये जाने की आवश्यकता थी, क्योंकि यह प्रोजेक्ट विपक्षी के अधीन अभी भी चल रहा है व बलारिया आइटम रेट कान्ट्रेक्ट प्रोजेक्ट अप्रैल 98 से पुनः प्रारम्भ कर दिया गया है। प्रार्थना की गयी कि मा. न्यायाधिकरण यह घोषित करे कि इस विवाद से संबंधित 26 श्रमिकों को दि. 6-11-97 से ले आफ किया जाना पूर्णतया अनुचित एवं अवैध था, श्रमिकों को जावर माईन्स के प्रोजेक्ट मोचिया बलारिया कनेक्टिंग ड्राईव प्रोजेक्ट पर कार्य उपलब्ध होने के कारण ले आफ व बाद में दिनांक रिक्त स्थान से छंटनी नहीं किया जाना चाहिये था। सभी श्रमिक मोचिया बलारिया कनेक्टिंग ड्राईव प्रोजेक्ट या विपक्षी निगम के किसी की अन्य प्रोजेक्ट पर नियोजित किये जाने के अधिकारी हैं, सभी श्रमिक दिनांक 6-11-97 से उन्हें पुनः नियोजित किये जाने की तिथि तक का संपूर्ण वेतन व भत्ते, सेवा की निरन्तरता व अन्य सभी परिलाभ प्राप्त करने के अधिकारी हैं तथा अन्य कोई अनुतोष व विवाद का हर्जा खर्चा जो मा. न्यायाधिकरण उचित समझे, दिलाने की कृपा करे।

विपक्षी ने जवाब क्लेम प्रार्थना पत्र प्रस्तुत कर निवेदन किया कि निम्नलिखित कारणों से कथित विधि अथवा तथ्य के आधार पर चलने योग्य नहीं है। विवादित विषय पर केन्द्रीय सरकार के सीजीआईटी, जबलपुर द्वारा आनुषंगिक विषय के रूप में पहले से ही न्याय निर्णयन किया जा चुका है, जब 2145 आकस्मिक श्रमिकों के नियमितीकरण तथा एमईसीएल के मृतकों के 64 आश्रितों को अनुकम्पा आधार पर नियोजन के मुख्य प्रश्न पर न्याय निर्णयन किया गया था। उपर्युक्त निर्देश समुचित सरकार द्वारा सीजीआईटी, जबलपुर को दि. 7-1-93 को किया गया। दि. 24-6-97 को हुई कार्यवाही के दौरान उपरोक्त न्यायाधिकरण ने प्रबन्धक को अवरुद्ध करते हुये एक अंतरिम आदेश पारित किया कि न्याय निर्णयन की कार्यवाही के लंबित रहते हुये किसी भी कर्मकार की छंटनी नहीं की जाए लेकिन परिणामतः क्योंकि अप्रार्थी निगम के पास जावर माईन्स प्रोजेक्ट पर नियोजित 26 कर्मकारों सहित आकस्मिक श्रमिक जो कि अकुशल कार्य करने हेतु नियोजित थे के लिये कोई काम उपलब्ध नहीं था अतः औ.वि.अधि., 1947 के उपबंधों का अनुसरण करते हुये उनको जबरी छुट्टी दे दी गयी। श्रमिकों को दिये गये कानूनी नोटिस की प्रतियां संलग्नक-1 के रूप में इसके साथ संलग्न की जा रही हैं। एमईसी कर्मचारी संघ ने उपर्युक्त अवैध जबरी छुट्टी का प्रश्न सीजीआईटी, जबलपुर के समक्ष उठाया और उपरोक्त न्यायाधिकरण ने अवार्ड पारित करते समय प्रबंधक द्वारा कर्मकारों की जबरी छुट्टी देने की कार्यवाही पर किसी दोष अथवा अवैधता का सम्प्रेक्षण नहीं किया। आगे यह भी प्रस्तुत है कि उपरोक्त न्यायाधिकरण ने अपने अवार्ड दि. 24-3-98 द्वारा प्रबंध की 2145 आकस्मिक श्रमिकों को नियमित करने का अन्य बातों के साथ निर्देश दिया। कंपनी के प्रबंध ने रिट याचिका उच्च न्यायालय, मध्य प्रदेश, जबलपुर के समक्ष कथित अवार्ड को चुनौती दी और न्यायालय ने अपने आदेश

दि. 26-2-99 द्वारा सीजीआईटी द्वारा पारित अवार्ड को नामंजूर एवं अपास्त कर दिया। मा. उच्च न्यायालय के समक्ष कार्यवाहियों में भी उत्तरवादी संघ ने जावर माईन्स में नियोजित कर्मकारों सहित श्रमिक को कंपनी प्रबंधन द्वारा औ.वि.अधि. के प्रावधानों के कथित उल्लंघन में जबरी छुट्टी देने के विषय पर उच्च न्यायालय का ध्यान आकर्षित किया, किन्तु न्यायालय ने इस पर कोई सम्प्रेक्षण नहीं किया। निवेदन किया कि सुनवाई के समक्ष इन कथनों को निर्दिष्ट किया जाये। मध्य प्रदेश उच्च न्यायालय, जबलपुर के निर्णय दि. 26-2-99 की प्रति संलग्नक-2 संलग्न है। इस प्रकार जावर माईन्स के श्रमिकों सहित जबरी छुट्टी का प्रश्न दोनों सीजीआईटी, जबलपुर तथा उच्च न्यायालय, जबलपुर के समक्ष उठाया गया था और उन्होंने जबरी छुट्टी दिये जाने पर किसी दोष अथवा अवैधता का सम्प्रेक्षण नहीं किया, अतः न्यायाधिकरण के समक्ष यह प्रश्न उठाने के लिये संघ विबंधित है। निवेदन है कि इस न्यायाधिकरण के समक्ष यह निर्देश (रेफ्रेन्स) न्याय निर्णयन हेतु अयोग्य है इसलिये तदनुसार उत्तरित किया जाना चाहिये। समझौता कार्यवाही के दौरान प्रबन्ध द्वारा समझौता अधिकारी के समक्ष सीजीआईटी, जबलपुर एवं उच्च न्यायालय के समक्ष वाद के लंबित होने के बारे में कथन किये गये थे। एलईओ (सी) कथित एफओसी तथा समझौता अधिकारी, उदयपुर सं. एलईओयूडी/5(8)97 दि. 4-12-98 की संलग्नक-3 संलग्न है। उपरोक्त कथनों के प्रति बिना प्रतिकूल प्रभाव के निम्न निवेदन किया कि मिनरल एक्सप्लोरेशन निगम लि. एक प्रमुख सार्वजनिक उपक्रम है जो खनिज संसाधनों की खोज में लगा है। देश के औद्योगिक विवाद को गति देने के लिये खनिज संभावनाओं की खोज तथा उनके विदोहन हेतु भारत सरकार द्वारा अक्टूबर 1972 में इसकी स्थापना की गयी। कंपनी अधि., 1956 के अंतर्गत निगमित यह भारत सरकार का एक उपक्रम है। इसके अतिरिक्त कंपनी खादान निर्माण का कार्य भी करती है। निगम का उपर्युक्त कथित कार्य विभिन्न प्रोजेक्टों द्वारा किया जाता है जो औद्यो. विवाद अधि., 1947 के अधीन अस्थायी औद्योगिक स्थापन होते हैं। निगम बड़ी संख्या में निमित्त कर्मकारों को नियोजित करता है जो अधिकतम अनुभवी और कुशल कर्मचारी होते हैं। इनके अतिरिक्त कतिपय स्थानीय आकस्मिक श्रमिक भी नियोजित किये जाते हैं। जो नितान्त अस्थायी अवधि के लिये अधिकांशतः अकुशल प्रकृति के कार्य के लिये नियोजित किये जाते हैं तथा उनको सौंपा गया कार्य पूरा हो जाने पर अस्थायी औद्योगिक स्थापन बंद कर दिया जाता है और स्थानीय आकस्मिक श्रमिकों को कानून के अनुसार छंटनी कर दी जाती है और निगमित श्रमिकों को देश में दूसरे स्थानों पर भेज दिया जाता है, जहां पर निगम का नया कार्य सौंपा जाता है। श्रमिकों के नियोजन की इस व्यवस्था का अनुसरण निगम की स्थापना के समय से किया जा रहा है। प्रबंध के इस दृष्टिकोण को कि प्रोजेक्ट अस्थायी औद्योगिक स्थापन होते हैं। भारत सरकार के सीता माला प्रोजेक्ट में सही माना गया है। भारत सरकार के श्रम मंत्रालय के पत्र सं. एल. 20012/61/70-डी iii(ए) दि. 22-11-70 की एक प्रति संलग्नक-4 संलग्न है। निगम के प्रोजेक्टों को अस्थायी स्थापन मानते हुए भारत सरकार ने अनेक प्रोजेक्टों में छंटनी करने तथा उनके बंद करने की अनुमति दी है। जावर माईन्स प्रोजेक्ट के प्रकरणों में भी पूर्व में भारत सरकार के श्रम मंत्रालय ने अपने पत्र सं. एल. 29024/2/86-डी-3(बी) दि. 27-6-86 जिसकी

प्रति संलग्नक-5 संलग्न है, द्वारा 32 आकस्मिक श्रमिकों की छंटनी की अनुमति दी थी जब श्रमिकों की संख्या 100 से अधिक हो गयी थी। निवेदन किया कि सीजीआईटी जबलपुर अवार्ड दि. 23-2-80 के अनुसार प्रोजेक्टों पर आकस्मिक श्रमिकों का नियोजन प्रोजेक्ट की अवधि में विनिर्दिष्ट कार्य के लिए किया गया। इन नियुक्त व्यक्तियों की छंटनी कार्य पूरा होने और प्रोजेक्ट बंद होने पर की गयी। उपर्युक्त अवार्ड दि. 23-2-80 की प्रति संलग्नक-6 के रूप में संलग्न है। ये 26 श्रमिक भी इस प्रोजेक्ट के विनिर्दिष्ट कार्य को पूरा करने हेतु लगाये गये थे इसलिए वे दूसरे प्रोजेक्टों में स्थानान्तरण अथवा आमेलित करने का दावा नहीं कर सकते। आर.आर.सी. प्रोजेक्ट जावर माईन्स पर कार्य पूरा हो गया था। एमईसीएल तथा मै. एचजेडएल के मध्य मद-दर-संविदा 5-11-97 को समाप्त हो गया था तथा मै. एचजेडएल ने संविदा को आगे बढ़ाने की मंजूरी नहीं दी। हिन्दुस्तान जिक जावर माईन्स के चीफ इंजि. (टीएस) से प्राप्त पत्र दि. 26-9-97 की एक प्रति संलग्नक-7 संलग्न है। इस दृष्टि से इस प्रोजेक्ट पर इन 26 श्रमिकों के लिये कोई कार्य नहीं था। कार्य की अनुलिब्धता के कारण से इन श्रमिकों को दि. 6-9-97 से जबरी छुट्टी दी गयी थी। सीजीआईटी जबलपुर द्वारा दिये गये आदेश दि. 24-6-97 द्वारा रोक की दृष्टि से इन आकस्मिक श्रमिकों की छंटनी नहीं की गयी यद्यपि जिस कार्य पर इनको लगाया वह कार्य पहले ही पूरा हो गया। निगम के प्रमाणित स्थायी आदेश के खंड 21 में उपबंधों के अनुसार तथा औद्योगिक विवाद अधि. 1947 तथा तद्धान नियमों के अनुसार प्रक्रिया का अनुसरण करने के बाद इन श्रमिकों को जबरी छुट्टी दी गयी थी। कंपनी द्वारा की गयी जबरी छुट्टी सही एवं उचित थी तथा स्थायी आदेशों के उपबंधों के अनुसार तथा औद्योगिक विवाद अधि. 1947 के लागू होने वाले अनुबंधों के अनुरूप थी। उच्च न्यायालय द्वारा सीजीआईटी जबलपुर के अवार्ड को मन्सूब करने के बाद औ.वि.अधि. के उपबंधों के अनुसार इन श्रमिकों की पहले से छंटनी की जा चुकी है तथा कंपनी की पंजी (रोल) पर अब नहीं है इसलिये प्रस्तुत विवाद निष्फल है तथा न्याय निर्णयन के योग्य नहीं है। क्योंकि कोई विवाद अस्तित्व में नहीं रहता है। उपर्युक्त निवेदनों की प्रतिकूलता के बिना प्रबंध ने प्रारम्भ से ही प्रार्थी संघ द्वारा प्रबंधक के कथनों के विपरीत किये गये दावे के प्रत्येक कथन, प्रकथन और निवेदनों को अस्वीकार किया है तथा प्रबंध के उपर्युक्त निवेदनों के विपरीत सभी दावों को इसके द्वारा अस्वीकार किया जाता है। जबाब में कथन किया कि संबंधित श्रमिकों की नियुक्ति प्रारम्भ में अप्रार्थी द्वारा बारोई प्रोजेक्ट के लिये नहीं की गयी, न ही इन श्रमिकों की सेवा का उपयोग जब भी आवश्यकता होगी जावर माईन्स एरिया के किसी भी अन्य प्रोजेक्ट में किया जायेगा यह शर्त हो। 26 श्रमिकों को न तो कटीजेंट अकुशल श्रमिक के रूप में नियुक्ति दी न ही इनको स्किल्ड श्रमिक बनाया। ये श्रमिक जावर माईन्स प्रोजेक्ट में आकस्मिक आधार पर लगाये गये थे। इससे अस्वीकार किया कि नियुक्ति की इस शर्त के आधार ही विवाद से संबंधित श्रमिकों से बारोई प्रोजेक्ट के अतिरिक्त पहले बलारिया माईन्स प्रोडक्शन इन्जबाइन प्रोजेक्ट पर तथा बाद में बलारिया आइटम रेट कांटेक्ट प्रोजेक्ट पर कार्य किया गया हो। जबरी छुट्टी ओ.वि.अधि. के प्रावधानों के विपरीत की गयी हो स्वीकार नहीं है, जबरी छुट्टी स्थायी आदेशों के उपबंधों तथा औ.वि.अधि. से लागू होने योग्य उपबंधों के अनुसार की गयी थी।

कंपनी का अपना कोई निजी काम नहीं है और ये श्रमिक बिना किसी काम के बेकार एवं कार्यहीन हो गये उनके लिये कोई काम नहीं रहा। फिर भी सीजीआईटी जबलपुर की अंतरिम रोल के कारण इन श्रमिकों की छंटनी नहीं की जा सकी और अंत तक इनकी छंटनी नहीं की गयी उच्च न्यायालय, जबलपुर द्वारा सीजीआईटी का अवार्ड मन्सूब तथा अपाता नहीं किया गया इसलिये यह निवेदन किया गया है कि प्रबंध द्वारा उनको जबरी छुट्टी देने तथा तत्पश्चात् उनकी छंटनी करने की कार्यवाही औ.वि.अधि. के अनुसरण में की गयी। यह स्वीकार नहीं है कि अध्याय 5 बी. इस पर लागू होता है इस प्रोजेक्ट पर नियोजित श्रमिक 100 से कम संख्या में थे इसलिये अध्याय 5 ए. लागू होता है और अध्याय 5 बी. के उपबंध कराई लागू नहीं होते हैं। यद्यपि यह सही है कि पूर्व में श्रम मंत्रालय ने लापंगा प्रोजेक्ट पर जबरी छुट्टी देने की अनुमति देने से इंकार किया था, किन्तु उसका भिन्न आधार था वास्तविक स्वरूप से प्रोजेक्ट पर कार्य शेष था, लेकिन जब कार्य पूरा हो गया तो लापंगा प्रोजेक्ट मैनेजर ने औ.वि.अधि. की धारा : 25-ओ के अंतर्गत (क्योंकि श्रमिक सं. 100 से अधिक हो रहे थे) श्रम मंत्रालय को प्रार्थना पत्र दिया और श्रम मंत्रालय ने अपने अनुमति पत्र दि. 10-5-99 द्वारा अनुमति प्रदान की। कथित पत्र की प्रति संलग्नक-8 संलग्न है। आर.आर.सी. जावर माईन्स का प्रोजेक्ट एक अलग एवं स्वतंत्र स्थापन था और इस प्रोजेक्ट पर एक विनिर्दिष्ट अवधि के लिये नियोजित श्रमिकों की प्रोजेक्ट बंद होने पर छंटनी की जानी थी। जिसको अभी-अभी मध्य प्रदेश उच्च न्यायालय द्वारा रिट पिटीशन सं. 1981/98 जैसा उपर्युक्त अवधूत दे दिये गये निर्णय सहित विश्व निर्णयों में उचित एवं वैध ठहराया है। कंपनी का प्रत्येक प्रोजेक्ट एक स्वतंत्र औद्योगिक स्थापन होता है क्योंकि जावर माईन्स प्रोजेक्ट पर कार्य पहले ही समाप्त हो चुका है। इन श्रमिकों को अन्य निकट एवीसीडी जावर माईन्स प्रोजेक्ट पर नियोजित करने का प्रश्न ही उत्पन्न नहीं होता निवेदन किया गया कि दावे का कोई औचित्य नहीं है तथा निर्देश का जवाब नकारात्मक तथा प्रबंध के पक्ष में दिये जाने योग्य है। उपर्युक्त लिखित कथन में किये गये कोई प्रकथन यदि श्रमिक द्वारा प्रस्तुत किये गये दावे के कथनों के विरुद्ध नहीं है तो विनिर्दिष्टतः अस्वीकार किये जाते हैं यद्यपि दावे के कथनों में किये गये प्रकथन विनिर्दिष्टतः स्वीकार नहीं किये गये हैं अथवा इस लिखित कथन में उनका उल्लेख नहीं किया गया हो तो भी वे स्वीकृत नहीं समझे जावें। तदनुसार विचारार्थ प्रस्तुत किया है।

प्रार्थीगण की ओर से सर्व श्री इमाम हुसैन, गंगाधर, विकास भट्टाचार्य, पुरुषोत्तम, जसवंत सिंह, धन्ना व हुनमान सिंह के शपथ पत्र प्रस्तुत हुये जिनसे विपक्षी प्रतिनिधि द्वारा जिरह की गयी। उपरोक्त प्रार्थीगण के अतिरिक्त प्रार्थी श्रमिक श्री हाजा का शपथ पत्र प्रस्तुत किया गया, परन्तु ये प्रार्थी जिरह हेतु उपस्थित नहीं आया। विपक्षी की ओर से बी.आर. सुब्बाराजु का शपथ पत्र प्रस्तुत किया गया जिनसे प्रार्थीगण के प्रतिनिधि द्वारा जिरह की गयी तथा दस्ताविजी साक्ष्य मे नोटिस, लपंगा प्रोजेक्ट आफिसर आर्डर नियुक्ति पत्र श्रमिक, श्रमिकों की नियुक्ति नई भर्ती-97 एमबीसीडी प्रोजेक्ट, बोर्ड मीटिंग आईटम नं. 4, श्रम मंत्रालय का पत्र रिकार्ड प्रति आदेश नोटिस श्रमिकों को वे आफ करने का जबलपुर उच्च न्यायालय का निर्णय व अवार्ड श्रम मंत्रालय के पत्र हि.जि.लि. का पत्र श्रम न्यायालय का निर्णय, पत्र

नरबहादुर प्रोजेक्ट मैनेजर, पत्र केसु लाल बनाम प्रोजेक्ट मैनेजर, पत्र सोना बनाम प्रोजेक्ट मैनेजर, पत्र श्यामुबाई बनाम प्रोजेक्टर मैनेजर, कार्यालय आदेश, पत्र थावरचंद, प्रार्थना पत्र हांजा व भैरा का बकाया पैसे लेने हेतु, प्रार्थना पत्र बी.पी. सिंह का बकाया पैसा प्राप्ति हेतु प्रार्थना पत्र जग्या छंटनी का पैसा लेने हेतु स्टेपिंग आर्डर्स व क्लेम प्रार्थना पत्र की छाया प्रतियां प्रस्तुत की हैं।

उन पक्षकारों की बहस सुनी गयी व पत्रावली का अवलोकन किया गया। हस्तगत प्रकरण में हमें देखना है कि विपक्षी नियोजक द्वारा उनके 26 श्रमिक प्रार्थीगण को जबरी छुट्टी देना उचित है ?

हस्तगत प्रकरण में श्रम मंत्रालय भारत सरकार द्वारा जो प्रसंग इस न्यायालय को अधिनिर्णय हेतु प्रेषित किया गया है, उसमें 26 श्रमिकों की जबरी छुट्टी किये जाने के संबंध में विवाद है, परन्तु ये 26 श्रमिक कौन हैं ? इस बाबत प्रसंग के साथ कोई श्रमिकों की सूची संलग्न नहीं है तथा प्रार्थी संघ द्वारा जो क्लेम प्रार्थना पत्र प्रस्तुत किया गया है उसमें भी विवाद से संबंधित 26 श्रमिकों के नाम नहीं दर्शा रखे हैं, क्लेम प्रार्थना पत्र में केवल मात्र यह अंकित कर रखा है कि इस औद्योगिक विवाद से संबंधित 26 श्रमिक प्रार्थी यूनियन के सदस्य हैं, जिनके नाम संलग्नक-1 सूची में दिये गये हैं, परन्तु प्रार्थी संघ की ओर से पत्रावली पर कोई संलग्नक-1 सूची प्रस्तुत नहीं की गई है, ये पत्रावली का अवलोकन करने से प्रकट होता है। इसके अतिरिक्त प्रार्थीगण की ओर से साक्ष्य में साक्ष्य स्वरूप कुल आठ शपथ पत्र प्रस्तुत किये गये हैं जिनमें भी प्रार्थीगण ने क्लेम प्रार्थना पत्र के कथनों को दोहराते हुए कथन किया है कि इस औद्योगिक विवाद से संबंधित 26 श्रमिक प्रार्थी यूनियन के सदस्य हैं जिनके नाम संलग्नक-1 सूची में दिये गये हैं, परन्तु कोई सूची प्रस्तुत नहीं की गयी है। अतः जिन श्रमिकगण के शपथ पत्र प्रस्तुत किये गये हैं ये विवाद से संबंधित 26 श्रमिकों में से हो यह संलग्न सूची के अभाव में माने जाने योग्य नहीं है। प्रार्थी संघ की ओर से भी प्रकरण की अंतिम स्थान तक प्रसंग को संशोधित कराने का प्रयास नहीं किया गया और न ही 26 प्रार्थी श्रमिकगण के नाम की सूची ही प्रस्तुत की है। इस न्यायालय का क्षेत्राधिकार प्रेषित प्रसंग तक ही सीमित है अभ्यपक्षकारों की सहमति से ही यह न्यायालय प्रेषित प्रसंग में संशोधन नहीं कर सकती है, ये ही दिशा निर्देश विधि दृष्टांत 2002 (3) डब्ल्यू एल सी-67 सुरेशचंद्र बनाम जनरल मैनेजर राज. स्टेट ब्रिज एवं कन्स्ट्रक्शन कोरपोरेशन में माननीय राज. उच्च न्यायालय ने सम्माननीय सर्वोच्च न्यायालय के द्वारा कई निर्णयों में दिये गये दिशा निर्देशों की पालना में दिये हैं। ऐसी स्थिति में श्रम मंत्रालय भारत सरकार द्वारा प्रेषित प्रसंग में सूचि संलग्न नहीं होने व प्रार्थी संघ द्वारा विवाद से संबंधित 26 श्रमिकों की सूची संलग्नक-1 प्रस्तुत नहीं किये जाने के कारण प्रेषित प्रसंग दूषित व निस्तारण योग्य नहीं होने से निरस्त किये जाने योग्य है।

ऐसी स्थिति में श्रम मंत्रालय भारत सरकार द्वारा प्रेषित प्रसंग निस्तारण किये जाने योग्य नहीं होने से निरस्त किया जाता है।

भारत सरकार के श्रम मंत्रालय प्रेषित प्रसंग को उत्तरित करते हुए पंचाट इस प्रकार पारित किया जाता है कि व्यवस्थापक मिनरल एक्सप्लोरेशन कोरपोरेशन लिमिटेड द्वारा जावर माईन्स के 26 कर्मकारों को जबरी छुट्टी देने की कार्यवाही उचित एवं वैध है ? प्रसंग में 26

कर्मकारों की सूची संलग्न नहीं होने एवं प्रार्थी संघ द्वारा क्लेम प्रार्थना पत्र के साथ उपरोक्त 26 कर्मकारों के नाम की सूची संलग्न नहीं होने के कारण प्रेषित प्रसंग दूषित होने से निरस्त किया जाता है। पंचाट प्रकाशनार्थ श्रम मंत्रालय भारत सरकार को भेजा जावे।

पंचाट आज दिनांक : 31-5-2005 को खुले न्यायालय में लिखाया जाकर सुनाया गया।

उपा अग्रवाल, न्यायाधीश

नई दिल्ली, 9 जून, 2005

का.आ. 2342.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली-1 के पंचाट (संदर्भ संख्या 87/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09-06-2005 को प्राप्त हुआ था।

[सं. एल-11011/24/2002-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th June, 2005

S.O. 2342.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 87/2003) of the Central Government Industrial Tribunal -cum-labour Court, New Delhi No. 1 as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India and their workman, which was received by the Central Government on 09-06-2005.

[No. L-11011/24/2002-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

PRESIDING OFFICER : Shri Sant Singh Bal

I. D. No. 87/2003

In the matter of dispute between :
The Working General Secretary,
Airport Employees Union, 3, V. P. House,
Rafi Marg, New Delhi,
New Delhi-110001.

2. The Secretary,
The Airport Employees Union,
Vandana Building, 11, Tolstoy Marg,
New Delhi-110001.

..... Workmen

Versus

The Regional Executive Director (NAD)
Airport Authority of India,
Rajiv Gandhi Bhawan,
New Delhi-110037.

.....Management

APPEARANCES : None for the workmen.

Shri Feroz Ahmed A/R for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-11011/24/2002 IR(M) dated 26-5-2003 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of AAI New Delhi in not regularising the services of concerned 5 workmen from the date of his initial appointment is just, fair and legal. If not, what relief the concerned workmen are entitled to and from which date.”

2. After receipt of the reference notice to the parties was issued for filing claim statement on 14-10-2003. On 14-10-2003 Shri Satya Singh Rawat appeared for workman and Shri Mukesh Kumar for the management and Shri Rawat requested for adjournment for filing claim. Hence it was adjourned to 13-1-2004. On 13-1-04 and 25-2-04 none for the workman appeared and Shri Feroz Ahmed for the management appeared and then case was adjourned to 28-4-04 for filing claim. Again on 28-4-04 none appeared for either party and even claim was not filed and case was adjourned to 8-7-04 for filing claim. On 8-7-04 Shri Ranjit working General Sec. for the workman requested for adjournment for filing claim and case was adjourned to 20-9-04 for filing claim. On 20-9-04 workman with his A/R appeared and requested for adjournment for filing claim and it was adjourned to 1-12-04.

From 1-12-04 til today i.e. 1-6-2005 four opportunities were granted to the workman for filing claim statement but neither he nor his counsel has appeared nor claim statement filed. It appears that the workman are not interested in prosecution of this case. Shri Feroz Ahmed A/R for the management appeared. Hence workman are proceeded *ex parte*. Thus, No Dispute Award is passed. File be consigned to record room.

Dated : 1-6-05

SANT SINGH BAL, Presiding Officer

नई दिल्ली, 9 जून, 2005

का.आ. 2343.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान जिंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के

बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण उदयपुर के पंचाट (संदर्भ संख्या 3/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-05-2005 को प्राप्त हुआ था।

[सं. एल-43012/12/2000-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 9th June, 2005

S.O. 2343.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Udaipur (Ref. No. 3/2000) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hindustan Zinc Ltd., and their workman, which was received by the Central Government on 27-05-2005.

[No. L-43012/12/2000-IR (M)]

B. M. DAVID, Under Secy.

अनुबंध

न्यायालय : न्यायाधीश, औद्योगिक विवाद अधिकरण एवं
श्रम : न्यायालय, उदयपुर

पीठासीन अधिकारी : उषा अग्रवाल, आर. एच. जे. एस.
प्रकरण संख्या : 3/2000

आई. टी. आर. (केन्द्र सरकार)

श्री मिटूलाल वैष्णव (18303) द्वारा अखिल भारतीय जस्ता उत्पादक श्रमिक संघ, रामचंद्र चम्पालाल धर्मशाला के बाहर उदयपुर (राज.)

.....प्रार्थी

बनाम

महाप्रबंधक, हिन्दुस्तान जिंक लिमिटेड, राजपुरा दरीबा माइन्स पोस्ट दरीबा जिला राजसमन्द (राज.)

.....विपक्षी

उपस्थित :

श्री प्रदीप पालीवाल : प्रार्थी की ओर से।

श्री बी.एल. गुप्ता : विपक्षी की ओर से।

दिनांक : 13-4-2005

पंचाट

भारत सरकार श्रम मंत्रालय द्वारा जरिये पत्र क्रमांक : एल-43012/12/2000/आई आर (एम) दिनांक 30-8-2000 द्वारा निम्न प्रसंग इस न्यायालय को अधिनिर्णयार्थ प्रेषित किया गया।

“Whether the action of management of Hindustan Zinc Ltd. Rajpura Dariba Mines, Dariba Distt. Rajamand in not giving pay protection and step up to Sh. Mithulal

Vaishnav and giving more salary to his junior workman is legal and justified? If not what relief workman concerned is entitled to?"

उक्त आशय का प्रसंग प्राप्त होने पर इस न्यायालय द्वारा दिनांक 9-10-2000 को प्रकरण संख्या 3/2000 आई.टी.आर. दर्ज रजिस्टर किया जाकर पक्षकारान को नोटिस जारी किये गये, जिस पर प्रार्थी की ओर से क्लेम व विपक्षी की ओर से जवाब प्रस्तुत किया गया।

यह प्रकरण दिनांक 5-4-2005 को अंतिम बहस हेतु नियत था एवं बहस के दौरान विपक्षी/संस्थापक प्रतिनिधि की यह आपत्ति रही है कि केन्द्रीय सरकार के द्वारा अधिनिर्णय हेतु इस न्यायाधिकरण को जो प्रसंग प्रेषित किया है, उसमें प्रार्थी स्वयं पक्षकार नहीं है, बल्कि प्रार्थी की यूनियन अखिल भारतीय जस्ता उत्पादक श्रमिक संघ, रामचन्द्र चम्पालाल धर्मशाला के बाहर उदयपुर पक्षकार है तथा प्रार्थी का विवाद वेतन संरक्षण व स्टैप-अप करने से संबंधित है, चूंकि व्यवस्थापक द्वारा प्रार्थी/श्रमिक मीटू लाल से कनिष्ठ को अधिक वेतन दिया जा रहा है, इसलिये संदर्भित विवाद का प्रार्थी यूनियन द्वारा ही क्लेम प्रस्तुत किया जा सकता है स्वयं प्रार्थी द्वारा प्रस्तुत नहीं किया जा सकता है। जबकि हस्तगत प्रकरण में क्लेम प्रार्थना पत्र में पक्षकार मीटू लाल वैष्णव द्वारा अखिल भारतीय जस्ता उत्पादक श्रमिक संघ, रामचन्द्र चंपा लाल धर्मशाला के बाहर उदयपुर है, किन्तु क्लेम प्रार्थना पत्र पर संघ के सचिव या प्रेसिडेंट के बतौर प्रार्थी हस्ताक्षर नहीं किये हैं, बल्कि प्रार्थी के द्वारा हस्ताक्षरित किया गया है, न कि श्रमिक संघ द्वारा तथा यह क्लेम प्रार्थना पत्र न्यायाधिकरण के समक्ष पेश भी प्रार्थी श्रमिक ने नहीं किया है, बल्कि उसके अधिवक्ता श्री जय पालीवाल ने प्रस्तुत किया है व उन्होंने भी धारा 36 आई. डी. एक्ट के तहत न्यायालय से श्रमिक की पैरवी करने हेतु इजाजत नहीं ली है। अतः श्रमिक का क्लेम प्रार्थना पत्र श्रमिक की संघ द्वारा प्रस्तुत नहीं किये जाने व पैरवी भी अधिवक्ता द्वारा किये जाने से प्रार्थी का क्लेम प्रार्थना पत्र निरस्त किये जाने योग्य है, क्योंकि औद्योगिक विवाद अधिनियम की धारा 2ए के अनुसार श्रम न्यायालय/न्यायाधिकरण के समक्ष कोई भी विवाद जो श्रमिक की सेवा मुक्ति, छंटनी सेवा पृथक या अन्यथा उसकी सेवाएं व्यवस्थापक द्वारा पर्यवर्ति से सम्बन्धित हैं तो ही श्रमिक स्वयं बतौर पक्षकार बनाया जा सकता है व उसके द्वारा पैरवी की जा सकती है। जबकि प्रार्थी/श्रमिक का विवाद धारा 2-क के तहत नहीं है, इसलिये वह स्वयं न तो क्लेम प्रार्थना पत्र प्रस्तुत कर सकता है न वह स्वयं पैरवी ही कर सकता है। श्री प्रदीप पालीवाल बतौर अधिवक्ता प्रकरण में पैरवी कर रहे हैं, चूंकि उन्होंने वकालत-नामा प्रस्तुत किया है तथा बतौर सचिव संघ, की हैसियत से प्रतिनिधित्व करने हेतु नियम 36 के तहत फार्म-एफ के तहत कोई अधिकार-पत्र प्रस्तुत नहीं किया है। न ही क्लेम प्रार्थना पत्र में बतौर सचिव हस्ताक्षर ही किये हैं व क्लेम भी उनके द्वारा प्रस्तुत नहीं किया गया है। यह भी विपक्षी प्रतिनिधि का तर्क है कि प्रार्थी ने विपक्षी अधिवक्ता द्वारा की गयी जिरह में यह स्वीकार किया है कि यह सही है कि प्रस्तुत विवाद अखिल भारतीय जस्ता उत्पादक श्रमिक संघ द्वारा उठाया गया है। स्टेटमेंट ऑफ क्लेम एमजी आर-13 पर केवल मेरे ही दस्तखत हैं संघ के किसी पदाधिकारी के दस्तखत नहीं हैं। अतः प्रार्थी का क्लेम प्रार्थना पत्र आई. डी. एक्ट की धारा 36 के अनुसार पेश कर प्रतिनिधित्व नहीं

किये जाने से यह विवाद चलने योग्य नहीं होने से खारिज किया जाना चाहिये।

जबकि प्रार्थी की ओर से उनके अधिवक्ता श्री प्रदीप पालीवाल का तर्क है कि विवाद में प्रतिनिधित्व सचिव अखिल भारतीय जस्ता उत्पादक श्रमिक संघ द्वारा किया गया है। क्लेम प्रस्तुतिकरण से ही बतौर सचिव में (प्रदीप पालीवाल) ही प्रकरण में पैरवी कर रहा हूं तथा प्रार्थी यूनियन मान्यताप्राप्त यूनियन नहीं है विपक्षी द्वारा ऐसी कोई लिखित या मौखिक आपत्ति गत पांच वर्षों में नहीं की गयी है। अतः क्लेम प्रस्तुतिकरण तिथि से ही यूनियन की ओर से माना जावे। प्रार्थी प्रतिनिधि ने इस बाबत बहस के समय प्रत्युत्तर भी प्रस्तुत कर निवेदन किया गया है। उनका यह भी तर्क है कि विपक्षी इस प्रकार की आपत्ति उठाकर प्रार्थी द्वारा विवाद को विद्धा करने के लिये बाध्य कर रहा है। प्रकरण की सिद्धि के लिये बयान श्रमिक के ही कराये जाते हैं व उसी के ही कराये गये हैं। उनका यह भी तर्क है कि उन्होंने प्रत्युत्तर प्रस्तुत कर अपनी भूल का सुधार कर लिया है। अतः प्रार्थी का विवाद के समर्थन में प्रस्तुत क्लेम प्रार्थना पत्र स्वीकार किया जाकर उसे तदनुसार अनुतोष प्रदान कराया जावे।

हमने उभय पक्षकारों की बहस पर गम्भीरतापूर्वक विचार किया व पत्रावली का अवलोकन भी किया। पत्रावली के अवलोकन से यह प्रकट होता है कि प्रस्तुत विवाद केन्द्रीय सरकार के समक्ष अखिल भारतीय जस्ता उत्पादक श्रमिक संघ द्वारा उठाया गया है, किन्तु क्लेम प्रार्थना पत्र पर यूनियन के या सचिव के हस्ताक्षर नहीं हैं, केवल मात्र प्रार्थी के हस्ताक्षर हैं तथा इसको न्यायाधिकरण के समक्ष प्रस्तुत भी प्रार्थी या यूनियन/प्रतिनिधि द्वारा नहीं किया जाकर उसके अधिवक्ता श्री जय पालीवाल द्वारा प्रस्तुत किया गया है। श्री प्रदीप पालीवाल प्रकरण में पैरवी बतौर अधिवक्ता कर रहे हैं न कि यूनियन के सचिव की हैसियत से, चूंकि उनके द्वारा वकालत-नामा प्रस्तुत किया गया है न कि नियम 36 के फार्म-एफ के अनुसार प्रतिनिधित्व पत्र पेश किया है। औद्योगिक विवाद अधिनियम की धारा 2-क के अनुसार सेवा पृथक, छंटनी सेवामुक्ति या अन्य प्रकार से सेवा से वंचित किसी कर्मकार को व्यवस्थापक द्वारा किया जाता है तो वह स्वयं ऐसा विवाद उठा सकता है अर्थात् अन्य किसी प्रकार का विवाद कर्मकार की संघ द्वारा ही उठाया जा सकता है। हस्तगत प्रकरण में भी विवाद प्रार्थी के संघ ने ही उठाया है तथा प्रेषित प्रसंग में संघ ही पक्षकार है व न्यायालय के समक्ष प्रसंग प्रेषित होने पर संघ ही क्लेम प्रार्थना पत्र प्रस्तुत कर पैरवी कर सकता है जो कि हस्तगत प्रकरण में नहीं की गयी है। इस प्रकार प्रार्थी ने स्वयं क्लेम प्रार्थना पत्र पर हस्ताक्षर कर अपने अधिवक्ता द्वारा क्लेम पेश कराया है, जो औद्योगिक विवाद अधिकरण की धारा 2-क का प्रार्थी का विवाद नहीं होने से क्लेम प्रार्थना पत्र प्रार्थी द्वारा प्रस्तुत नहीं किया जा सकता है तथा यह धारा 36 औद्योगिक विवाद अधिनियम का स्पष्ट उल्लंघन होने से प्रार्थी का क्लेम चलने योग्य नहीं है। विपक्षी द्वारा यह विधिक आपत्ति उठायी गयी है जो क्लेम के किसी भी स्टेज पर उठायी जा सकती है। ऐसी स्थिति में विपक्षी द्वारा उठायी गयी विधिक आपत्ति में बल पाते हैं तथा प्रार्थी की ओर से कोई ऐसा कानून या नियम औद्योगिक विवाद अधिनियम में नहीं बताया गया है, जिससे उसकी यह त्रुटि सुधारी जा सकती हो। अतः विपक्षी

के द्वारा उठायी गयी आपत्ति उचित एवं वैध होने के कारण प्रार्थी का क्लेम प्रार्थना पत्र चलने योग्य नहीं होने से निरस्त किया जाता है।

भारत सरकार के श्रम मंत्रालय द्वारा प्रेषित प्रसंग को उत्तरित करते हुये पंचाट इस प्रकार पारित किया जाता है कि व्यवस्थापक हिंदुस्तान जिंक लि. राजपुरा दरीया माईन्स दरीबा डिस्ट्रीक राजरबन्द द्वारा श्रमिक श्री मीदूलाल वैष्णव को वेतन संरक्षण एवं स्टेप अप नहीं करना तथा उससे जूनियर कर्मकार को अधिक वेतन देना उचित एवं वैध है का क्लेम रैफ्रेन्स में प्रार्थी पक्षकार अखिल भारतीय जस्ता उत्पादक श्रमिक संघ द्वारा प्रस्तुत व पैरवी नहीं किये जाने के कारण चलने योग्य नहीं होने से खारिज किया जाता है। पंचाट प्रकाशनार्थ भारत सरकार को भेजा जावे।

पंचाट आज दिनांक : 13-4-2005 को खुले न्यायालय में लिखाया जाकर सुनाया गया।

उषा अग्रवाल, न्यायाधीश

नई दिल्ली, 6 जून, 2005

का.आ. 2344.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन ऑयल कार्पो० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या 20, 23, 24/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-30012/49, 50, 54/2004-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 6th June, 2005

S.O. 2344.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 20, 23, 24/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Oil Corpn. Ltd. and their workman, which was received by the Central Government on 06-06-2005.

[No. L-30012/49, 50, 54/2004-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JAIPUR

Case No. CGIT-20/2004.

Reference No. L-30012/49/2004-IR (M)

Sh. Narendra Singh Shekhawat.

S/o Sh. Gulab Singh.

Through Sh. Lakhu Singh Shekhawat, UDC

R/o City Palace Museum.

Applicant

Versus

Sr. Manager (P&A)
IOCL (Marketing Division),
Rajasthan State Office,
Ashok Chowk, Adarsh Nagar,
Jaipur

.... Non-applicant

Case No. CGIT-24/2004.

Reference No. L-30012/54/2004-IR(M)

Sh. Chanda Ram Meena.

S/o Sh. Nanag Ram Meena,

R/o Mukam Post Chintanu Kila via Manoharpur,

Tehsil Amer, Jaipur

.... Applicant

Versus

Sr. Manager (P&A)
IOCL (Marketing Division),
Rajasthan State Office,
Ashok Chowk, Adarsh Nagar,
Jaipur

.... Non-applicant

Case No. CGIT-23/2004.

Reference No. L-30012/50/2004-IR(M)

Sh. Ramkishan Meena.

S/o Sh. Narayan Lal Meena,

R/o Village-Chakotia,

Tehsil Amer, Jaipur

.... Applicant

Versus

Sr. Manager (P&A)
IOCL (Marketing Division),
Rajasthan State Office,
Ashok Chowk, Adarsh Nagar,
Jaipur

.... Non-Applicant

PRESENT:

Presiding Officer :	Sh. R.C. Sharma
For the applicant :	Sh. Kunal Rawat
For the non-applicants :	Sh. Sudhanshu Kasliwal
Date of award :	16-5-2005

AWARD

1. These aforementioned three references have been transmitted by the Central Government in exercise of the powers conferred under Clause 'D' of Sub-Sections 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') for adjudication to this Tribunal which involve the identical facts and questions of law and are agitated against the same establishment, which are being disposed of by this common order. The disputes referred to this Tribunal relate to the validity of the termination orders dated 21-5-2001 passed by the establishment against the workmen Shri Narendra Singh Shekhawat and Shri Chanda Ram Meena respectively as well as the termination order dated 7-12-2002 passed against the workman Shri Ram Kishan Meena.

2. According to the averments made by the workman in their respective claim statements, Narendra Singh Shekhawat and Chanda Ram Meena were recruited by the non-applicant Indian Oil Corporation Ltd. (for short, the corp.) as the labourers on 2-6-2000, who continuously performed to work till 21-5-2001 at Khasha Kothi Circle, Petrol Pump belonging to the corp. Ram Kishan Meena was also recruited as a labourer on 7-12-2002, who continued to work till 6-12-2002. But the services of the first two workmen were terminated on 21-5-2001 whereas that of Ram Kishan Meena was terminated on 7-12-2002 respectively without following the requirements under Section 25-F of the Act, who unsuccessfully raised the Industrial Dispute before the Conciliation Officer. The workman have further stated that after the termination, the corp. has recruited the fresh hands in violation of Section 25-H of the Act. The workmen have alleged that the nature of the work performed by them is perennial. They have urged that their termination order be declared unjust and void respectively and they be reinstated in the service with back-wages and other consequential reliefs.

3. Resisting the claims of the workmen, it has been stated on behalf of the corp. in the written-counter that no relationship of employer-employee exist between the parties, that the workmen were only trainees and were kept on training under a Training Scheme by the management of the corp. vide its letter dated 19-6-2000 (Ex. M 1) according to which the training period of the claimants was for a stipulated period and it was made clear to them that they shall not be absorbed on completion of the training. It is further pleaded that the certificates of their training were issued in their favour to enable them to get the employment and they had accepted the terms and conditions of the training prior to the execution of the undertaking by them. The non-applicant has further alleged that the claimants are not the workmen as defined under Section 2(s) of the Act and on completion of training period by efflux of time their termination cannot be termed as retrenchment falling under Section 2 (oo) of the Act. The non-applicant has claimed that the cases of the workmen fall under Section 2 (oo) (bb) of the Act.

4. In the rejoinder the workmen have reiterated the same facts as mentioned in their claim statements and have admitted that the certificates of training were issued to them respectively.

5. On pleadings, the following points for determination were framed :—

- I. Whether the claimant was employed by the non-applicant corporation on 2-6-2000, who continuously worked from 26-6-2000 to 21-5-2001 and whose service was terminated on 21-5-2001 (7-12-2002 in case of Ram Kishan

Meena) in violation of Section 25-F of the ID Act?
BOA

- II. Whether after the termination of the workman, fresh hands were recruited by the non-applicant corporation in violation of Section 25-H of the Act and Rule 78 of the Industrial Disputes Rules, 1957?

BOA

- III. Whether the claimant is a workman as defined under Section 2(s) of the ID Act?
BONA

- IV. Relief, if any.

6. In the evidence, the workmen have examined themselves and in the rebuttal the counter affidavit of MW-1 Gyalal, Sr. H.R. Manager has been placed on the record. All these witnesses were cross-examined by the opposite representatives respectively. The corp. has also led the documentary evidence whereas the workmen have chosen not to bring any documentary evidence on record.

7. I have heard both the parties and have gone through the record. The point-wise discussion follows as under :—

Points No. I & III

8. Since the facts involved in both these points are common, they are discussed together.

9. The Id. representative for the workmen contends that the workmen have worked for more than 240 days in a calendar year at the petrol pump at Khasha Kothi under the supervision and control of the corp. Their names were not sponsored by any college for training, that the corp. was earning through their employment and that there was no training institute for imparting training to them. The Id. representative further contends that they were working 8 hours per day, that their job was of the permanent nature and the claimants fall in the category of the workmen as defined under Section 2(s) of the Act. Per Contra, the Id. representative for the corp. contends that as per contract Ex. M-1 the claimants were appointed as the trainees, who were paid the monthly stipend and they were posted on the retail outlets. The corp. floated a scheme and the names of the workmen were sought from the employment exchange, who on being found suitable were given the training and the term of their appointment expired with the efflux of time. The Id. representative adds that the scheme was framed in terms of 20 point programme of the Central Government. The main thrust on behalf of the corp. is that the workmen were apprentices and their disengagement does not amount to retrenchment.

10. I have bestowed my thoughtful consideration to the rival contentions and have carefully gone through the decisions referred to by both the parties before me.

11. It is undisputed that the claimants Narendra Singh and Chanda Ram Meena had performed their duties from 2-6-2000 to 21-5-2001 and Ram Kishan Meena from 7-12-2001 to 6-12-2002 under the employment of the corpn. The claimants case is that they were engaged as labourers and were performing the job of the perennial nature, whereas the corpn. has set up a plea that they were appointed as trainees/apprentices on certain terms and conditions for a fixed term and after the expiry of the stipulated period their appointment came to an automatic end. It has been averred on behalf of the corpn. that a scheme was launched by the Central Government to impart the training in the field to the youths to enable them to get the ample opportunity for their employment in the future. Admittedly, the offer of appointment and the undertaking by the claimants were signed by the claimants respectively.

12. The Id. representative for the workmen in support of his submission has referred to the decision reported in JT 2004 (8) SC 272 and the observation made by the Hon'ble Apex Court therein is quoted for convenience sake as below :—

“Whether a relationship of an employer and workman or an employer and an apprenticeship had been brought about, it essentially a question of fact. The court while determining such a dispute must consider the factual matrix involved therein in the light of the provisions of the said Act. Once it is held that a contract of apprenticeship entered into by and between the employer and the workman is a genuine one and not a camouflage or a ruse, a presumption would arise that concerned person is not a workman”.

13. Now, in view of the principle propounded in the decision supra, I proceed to examine as to whether the offer of appointment is a sham contract or a genuine one.

14. The letter containing the offer of appointment Ex. M-1 (which is similar in all the three cases), addressed to the claimants respectively, states that they have been found suitable for the purpose of the training on the following terms and conditions, out of them, the few important conditions are that their training shall be for a period of 11 months, that they will be governed by Coco Retail Outlet Training Team of IOC, that they would have to undergo both theoretical and practical training, that the training period shall be of 8 hours per day and that the stipend worth Rs. 1664 per month will be paid to them. It

also says that during the training period there shall not be any employer-employee relationship between the parties and that on completion of the training the IOC shall not absorb them, however, on successful completion of training period a certificate to that effect will be issued.

15. Ex. M-2 is the undertaking designed as the “Title of the scheme”, whereby the claimants have agreed to be governed by the scheme in terms of the letter for offer of appointment.

16. Now, I advert to the oral evidence adduced by both the parties to justify their pleas respectively.

17. The claimants in their cross examination have stated that they were engaged for delivering of the petrol into customers' vehicles and have denied that the consolidate wages were paid to them in the capacity of the trainees. Although, they have admitted that prior to their engagement they had not handled the job of delivering the petrol into the vehicles, but they have deposed that the nature of the job was such which did not require any training. Thus, the claimants have firmly denied that they were appointed as the trainees and have stated that they were performing the regular work.

18. Contrary to it, MW-I Jiyalal has stated in his counter affidavit that the claimants were not the employees of the corpn., who were only the trainees and had undergone the training for the stipulated period, which they had accepted by putting their signatures and executing an undertaking. In the cross examination this witness had admitted that the workmen were imparted the training for delivery of the petrol into customers' vehicle as well as in conducting with the customers. He has, too, admitted that the cost of the petrol was charged by them from the customers. It is also his admission that no principal for training was appointed, that the attendance of the claimants were marked in the attendance register by the supervisor of the corpn. and that the work performed by them still continues to exist in the corpn. He has clearly admitted that the claimants were put under the control and supervision of the petrol pump and that after the disengagement of the claimants the fresh workers were engaged as trainees by the corpn.

19. It flows from the aforestated facts that the corpn. had neither training institute and nor even a trainer it had to impart the training to the disputants in the field. So far as the nature of the work is concerned, it is crystal clear that the work performed by them was perennial in nature and it even exists after their disengagement and to carry on the similar kind of work the fresh employees were recruited by the corpn. Undoubtedly, the corpn. had exercised the control and supervision over them.

20. The Id. representative for the workmen has referred to AIR 2003 SC 3329 in support of his submission, the facts thereof are that the case of the management was that the disputants were trainees only and their traineeship was terminated by the management. The question that

came up for consideration before the Hon'ble Apex Court was whether the disputants were employed within the meaning of Section 2(s) of the Act and it was considered by the Hon'ble Court that if the disputants were trainees, there should have been trainers too. The case of the management was also disbelieved on the ground that it did not have any permanent workmen and all the persons employed were trainees. It has been observed by the Hon'ble Court that "the management evidently came forward with a false plea doubling the employees/workmen as trainees so as to resort to summary termination and denied the legitimate benefits". The facts of the referred to decision are squarely applicable to the present controversy and it fortifies the submission canvassed on behalf of the workmen.

21. Contrary to it, the Id. representative for the corpn. has placed before the court a photostat copy of the unreported judgement passed by the Hon'ble Bombay High Court in the matter of Writ Petition 2020 of 2000, Petroleum Employees Union v. M/s. Indian Oil Corpn. Ltd. and Ors., the facts thereof are that 22 candidates were posted at retail outlet by the corpn. treating them as the trainees. The Hon'ble Court has upheld the conclusion drawn by the Labour Court that they were not the workmen but the trainees, to whom the training was imparted by the corpn. But the facts of this case demonstrate that the candidates were provided classrooms and field training, which was being given to them by specialized agency. They were also given training history card. On these facts they were considered to be trainees and, therefore, the facts of the decision supra are totally distinguishable from the present controversy. The Id. representative has also relied upon JT 2004(7) SC 232, which I have carefully gone through and suffice it to state here that *ex facie* the facts of the cited decision are quite dissimilar from the present controversy. Thus, the Id. representative for the corpn. does not derive any assistance from both these judicial verdicts.

22. Thus delving deep into the matter it echoes that the appointment order/contract Ex. M-1 was a veil and under the disguise of imparting the training to the claimants, their services were hired by the corpn. on payment of monthly consolidated wages for performing its regular work at the petrol pump, which even exists till today. It leads to an inescapable conclusion that their appointment/contract is a sham one and the corpn.'s plea cannot be maintained. On these facts, the claimants have succeeded to establish that they had completed over 240 days of actual service under the employment of the corpn. in a calendar year preceding to the termination and that there existed a nexus of employer-employee between the contesting parties. Undisputedly, prior to their termination they were not served with one month's notice, nor the pay in lieu of the notice, may the retrenchment

compensation were paid to them. Thus, their termination tantamounts to retrenchment as defined under Section 2(oo) of the Act and the plea set for on behalf of corpn. that the claimants were appointed as the trainees and their appointment came to an automatic end on the expiry of the period of appointment, fails and their case is not covered by clause (bb) to Section 2(oo) of the Act. Accordingly, points No. I and III are decided in favour of workmen and against the corpn.

Point No. II :—

23. The workmen in their pleadings have categorically stated that after their termination the fresh hands were recruited by the corpn. They have further deposed this fact in their affidavits respectively. In the cross examination MW-1 Jiyalal has admitted that while terminating the services of the workmen their seniority list was not drawn up and after their termination the fresh hands were employed as the trainees. He has further clarified that similar kind of training was also imparted to the new apprentices. Under the foregoing paragraphs it has been concluded that the claimants were engaged as the labourers and a relationship of employer-employee existed between both the parties. The admission made by the management witness leads to infer that the casual workers were engaged after the disengagement of the claimants to carry on the similar kind of work, which used to be performed by the claimants. Further, it could not be disputed on behalf of the corpn. that prior to the engagement of the fresh hands, an opportunity was not afforded to these retrenched workmen. Therefore, the corpn. has acted in violation of Section 25-H of the Act and Rule 78 of ID Rules, 1957. This point, therefore, is decided in favour of the workmen.

RELIEF

24. On account of the decision of the aforesaid points in favour of the workmen, their claims deserve to be allowed and they are entitled to be reinstated. They have also pleaded their unemployment since their termination, which stands un rebutted. Therefore, they are also entitled to get the back wages.

25. In consequence, all these aforesaid three references are answered in affirmative in favour of the workmen and against the Indian Oil Corpn. Ltd. and it is held that their claims deserve to be allowed. The termination orders dated 21-5-2001 terminating the services of claimants Narender Singh Shekhawat, Chanda Ram Meena and dated 7-12-2002 terminating the services of Ram Kishan Meena are illegal and unjustified respectively. They are entitled to be reinstated in the service with its continuity and 50% back wages. An award is passed in these terms accordingly.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 6 जून, 2005

का. आ. 2345.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ओरिएण्टल बैंक ऑफ कॉमर्स के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय जयपुर के पंचाट (संदर्भ संख्या 12/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 03-06-2005 को प्राप्त हुआ था।

[सं. एल-12012/156/2000-आई आर (बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 6th June, 2005

S.O. 2345.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2002) of the Central Government Industrial Tribunal-cum-Labour Court Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oriental Bank of Commerce and their workman, which was received by the Central Government on 03-06-2005.

[No. L-12012/156/2000-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-12/2002

Ref. No. L-12012/156/2000-IR (B-II)

Sh. Lokendra Singh,
S/o Sh. Swaroop Singh,
Digava Para,
In front of Moti Singh, Advocate,
Anah Gate, Bajaria,
Teh. and Distt. Bharatpur (Rajasthan)

.....Applicant

Versus

The Assistant General Manager (Personnel),
Oriental Bank of Commerce,
Harsha Bhawan, E-Block,
Connaught Place,
New Delhi-110001

.....Non-applicant

PRESENT:

Presiding Officer : Sh. R.C. SHARMA

For the applicant : Sh. Suresh Kashyap

For the non-applicant : Sh. B. S. Ratnu

Date of award : 05-05-2005

AWARD

1. The Central Government in exercise of the powers conferred under Clause 'D' of sub-section 1 to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred

to as the 'Act') has referred the following Industrial Dispute for adjudication to this Tribunal which runs as under :—

"Whether the action of the management of Oriental Bank of Commerce to dismiss Sh. Lokendra Singh, S/o Sh. Swaroop Singh from service vide Order dated 23-5-1997 is justified and legal? If so, what relief is the aggrieved workman entitled to?"

2. The factual background of the case sans the unnecessary details is that the workman was initially appointed as a safaiwala on 1-1-85 and after clarifying the departmental examination he was promoted to the post of clerk-cum-cashier. While he was working in the branch of bank at Bharatpur, he was charge-sheeted on 1-11-95 with an imputation that on 11-8-95 he misbehaved with Sh. K.C. Gupta, the Sr. Manager of the branch situated at hotel Van Vihar, Bharatpur (for short, the hotel). The workman has pleaded that after his duty hours on 11-8-95 he was called by Sh. K.C. Gupta around 7.30/8 pm at the hotel and asked him to stay there till late at night. He requested him that his wife is unwell and his presence is required at his house, but no heed was paid to his request. He has alleged that Sh. K.C. Gupta was taking liquor at that time along with some other persons, who under intoxication asked him either to supply alcohol to him or he would be reverted to the post of 4th Class. The workman denying the misbehaviour committed by him towards Sh. K.C. Gupta has pleaded the ulterior motive of Sh. Gupta to prosecute him. He has also assailed the impugned punishment order of dismissal to be an excessive one.

3. In turn, the non-applicant in his written counter has averred that on 12-8-95 the extension counter of the Bharatpur branch was scheduled to be inaugurated and the bank's higher officers from Delhi and Jaipur had arrived at Bharatpur on 11-8-95 and were staying in the aforesaid hotel where at about 9.25 pm the workman had abused the Sr. Manager Sh. K.C. Gupta and attempted to assault on him in presence of the staff members against whom a disciplinary proceeding was initiated on the charges of misconduct and was subsequently dismissed from the service by the disciplinary authority. It has also been pleaded that the misconduct committed by the workman at the hotel is directly related to the bank for which the legal action can be taken by the bank.

4. In the rejoinder, the workman has stated that the alleged misconduct was committed outside the bank premises which is not covered by the clauses under the Bipartite Settlement (for short the BPS).

5. Vide order dated 18-9-2003 of this Court, the domestic enquiry conducted against the workman was found to be bad and the bank was permitted to lead the evidence to justify the charges levelled against the workman.

6. In support of its case, the bank has examined Paramhans Meena, the officer of the bank Maheshchand Sharma, LDC, Anil Kumar Gupta, Clerk/Typist, K.C. Gupta Sr. Manager and Nikhil Gupta, Special Assistant. On behalf of the workman, the affidavits of Raja Ram, Class IV, R.K. Goyal, Manager and Vijay Kumar Mehra, Hotel Manager

along with his own have been placed on the record. All these witnesses have been cross-examined by the opposite representatives respectively.

7. I have heard both the parties and have scanned the record.

8. The Id. representative for the bank contends that by examining five witnesses the management has proved the charges under paras 19.5(c) and 19.5(e) of the BPS and the management witnesses have categorically narrated the incident in their testimony. The Id. representative further contends that the workman had defied the order of the Sr. Branch Manager, and abused him and the meeting in the hotel was for the purpose of improvement and betterment of the bank which attracts the provision under clause 19.5(c) of the BPS.

9. Countering these submissions, the Id. representative for the workman contends that it is to be seen whether the oral order given to the workman was reasonable and whether he had deliberately refused the order. His submission is that there is no evidence that the meeting was convened at the hotel, but contrary to it the evidence produced on the record is that the employees of the bank went in the hotel at their own to meet the higher officers and they were not called there. His further contention is that the evidence discloses that no meeting was held at the hotel and that no document showing this fact has been produced on the record. The Id. representative adds that the said incident which had taken place at about 9.25 p.m., which was not during the office hours.

10. The Id. representative has further contended that the management witnesses have denied happening of the incident and their statements are contradictory. His further submission is that Sh. Paramhans Meena's statement was not recorded by the Enquiry Officer, who was examined in the Court after a lapse of 10 years, that he has named Sh. R. K. Goyal, who was present there and R. K. Goyal has been produced by the workman in support of his case. The Id. representative has also assailed the testimony of Sh. K. C. Gupta by arguing that he has admitted that no order for convening the meeting was issued, that no proceedings were drawn, that the workman was not called in the hotel and that no written order was issued for allocation of the duties. The Id. representative has emphasized on the fact that it was necessary for him to issue the order in writing. The Id. representative has also attacked the management evidence on the ground that certain witnesses, viz., Pankaj Sharma and Hanuman Prasad Meena have also been named by the management witnesses who have not been produced. It has also been a ground of attack on behalf of the workman that why Sh. K. C. Gupta has not lodged an FIR against the said incident. On behalf of the workman, the veracity of Sh. K. C. Gupta has been sought to impeach on the ground that certain news have been published against him in the newspaper and a suit was also filed against him.

11. The Id. representative for the workman then has placed his reliance upon the defence evidence adduced on behalf of the workman and has contended that Sh. R. K. Goyal, Manager in the bank who was the then in

charge of the extension counter has denied the said allocation of the duties among the employees and has stated that no incident had taken place. The Id. representative has also placed his reliance upon the testimony of Sh. Vijay Mehra, the in charge of the aforesaid hotel by stating that he has deposed that no permission to convene the meeting in the hotel was obtained from the hotel management. It has also been a ground that the charges have not been framed in accordance with the standing order and, therefore, no punishment can be imposed on the workman and that both the charges could not be proved by the bank.

12. Both the Id. representative have referred to the various decisions in support of their submissions, which find mention herein below.

13. I have bestowed my anxious consideration to the rival contentions and have gone through the judicial pronouncements.

14. Now, the question which crops up for determination is whether the workman had committed the misconduct with the then Sr. Manager, Sh. K. C. Gupta as defined under paras 19.5(c) and 19.5(e) of the BPS dated 19-10-1966?

15. The chargesheet dated 1-11-95 reads that on 11-8-95 at about 9.25 p.m. at the hotel, Van Vihar, Bharatpur, you had misbehaved with the Sr. Manager, Sh. K. C. Gupta while he was discussing with the staff members about the duties entrusted to the employees on 10-8-95 for 12-8-95. When in the presence of other staff members, you were told to work at the main branch, then denying his orders you replied that "I would not go to the branch. I would only go to the extension counter". But when you were directed to report in the main branch, then you abusively said "You do whatever you like. I will do go to the extension counter". When you were objected for abusing, you took up your slippers from your foot and abused the Sr. Manager and rushed towards him aggressively to assault him and the staff members had to restrain you from scuffling with Sh. K. C. Gupta. The chargesheet further says that the aforesaid misconduct of the workman is attracted by paras 19.5(c) and 19.5(e) of the BPS dated 19-10-1966.

16. Para 19.5 deals with the gross misconduct and the aforesaid clauses are reproduced as below :—

19.5(c) : "drunkenness or riotous or disorderly or indecent behavior on the premises of the bank";

19.5(e) : "willfull insubordination or disobedience of any lawful and reasonable order of the management or of a superior";

17. As per clause 21 (IV) (a), an employee found guilty of gross misconduct may be dismissed without notice.

18. Now, the primary question which needs the consideration is whether the incident had occurred? The management to establish the gross misconduct levelled against the workman has examined 5 witnesses in support of its case. Although, the management witnesses Shri Mahesh Chand Sharma and Shri Anil Kr. Gupta have

narrated the alleged incident in their affidavit respectively, but Shri M. C. Shah has admitted in his cross-examination that no such incident had taken place in his presence. Likewise, Shri A. K. Gupta has stated that there was a brawl between Sh. K. C. Gupta and the workman with regard to the entrustment of the duty at the branch office, who were pacified and when he went towards the jeep, he heard a noise and then saw that the staffers were intervening between both of them. Thus, according to his testimony it appears that he had not witnessed the occurrence. As such, evidently both these witnesses cannot be termed as eye witnesses who have not corroborated the management case.

19. Now remains the evidence of K. C. Gupta, Paramhans Meena and Nikhil Gupta, who have narrated the incident in detail in their affidavits respectively. K. C. Gupta has stated in his affidavit that on 18-8-1995 the workman Lokendra Singh was entrusted with the duty to attend the main branch and on 12-8-1995 in the hotel when Paramhans Meena intimated him that Lokendra Singh was defying the duty already allotted to him and stated that he will not attend the branch on 12-8-1995, then he had asked Lokendra Singh to attend the branch, who indecently replied to him that he would go to the Extension Counter. He has further deposed that when he asked Lokendra Singh to be present at the branch, the workman abused him in filthy and foul language by stating that he would go to the extension counter only. He has further stated that when he asked him not to abuse, then he took up his Hawai Chappal from his foot and rushed towards him to assault him in the aggressive mood, who was resisted by Mahesh Sharma, Pankaj Sharma, Nikhil Gupta and Paramhans Meena.

20. The testimony of K. C. Gupta has been corroborated by Paramhans Meena who has depicted the said incident in his affidavit by stating that on 12-8-1995 he had reported to K. C. Gupta in the hotel that Lokendra Singh had refused him to join the duty on 12-8-1995 at the branch and he is insisting to attend the extension counter. Thereafter, he has categorically stated that he was advised by the K. C. Gupta to attend the branch, but he abused him indecently and insisted to attend the extension counter. He has stated that the workman attempted to assault K. C. Gupta with his chappal, who was intervened by the staff members present there. Nikhil Gupta has also described the alleged incident in his affidavit and has corroborated the evidence of both K. C. Gupta and Paramhans Meena.

21. On behalf of the workman, the management evidence has been assailed by arguing that the order allotting the duty of the workman was not reasonable, that no meeting was held on 10-8-1995 whereby the duties were allotted to the staff members, that Sh. K. C. Gupta had not issued any notice to the workman fixing his duty on 12-8-1995 at the branch and that no document of holding the meeting could be produced on behalf of the bank. It has also been questioned on behalf of the workman that why the FIR was not lodged by K. C. Gupta, that his functioning as a manager was objectionable and the adverse news were published against him in a newspaper

and a suit was also filed against him. The Id. representative for the workman has argued that the testimony of the management witnesses is contradictory and cannot be relied upon.

22. K. C. Gupta in his cross-examination has pointed out that the duties to the staff members for 12-8-1995 was orally allotted by him in the branch on 10-8-1995, in a meeting of staffers called by him. It is true that the witness has admitted that no document with regard to convening the meeting could be placed on the record, but he has emphatically stated that he in the capacity of Sr. Manager could issue the written or verbal order for entrusting the duties. This fact has even been admitted by WW-2 R. K. Goyal that the manager can allot the duties to the employees. Further it is not the case of the management that a meeting was convened on 11-8-1995 at the hotel, but the bank has clearly put forth its case that on 11-8-1995 when the superior bank officers from Delhi and Jaipur had arrived at the hotel, the staffers along with the workman on their own had gone to the hotel to pay the courtesy call to the superior officers, where the incident had taken place.

23. K. C. Gupta has also been cross-examined on the point that he was not abused by the workman and no such incident had taken place, but he has emphatically denied all such questions put to him and has categorically stated that the workman was putting on the chappal on that day. He has also clarified that for lodging the FIR permission from the regional office was required and, therefore, it could be lodged. He has also clarified that he had reported this incident to the higher bank officers. Apart, it, when a misconduct is committed by any of the employees of the bank, it rests with the bank authorities to lodge the complaint with the police or to initiate the disciplinary proceedings against him and even if the FIR is not lodged against him, the disciplinary proceedings launched against him cannot be doubted on this sole ground.

24. Sh. K. C. Gupta has admitted in his cross-examination that a suit against him was instituted in the District Court at Bharatpur, but has stated that it was a false suit. He has pleaded ignorance as to the news published against him in the newspaper on 15-12-1995. On behalf of the workman, a copy of the newspaper 'Crown' dated 15-12-1995 has been placed on the record wherein it has been reported that the bank manager of the Oriental Bank of Commerce at Numaish Road Branch, demanded bribery for the grant of loan, but Sh. K. C. Gupta has not been named in this news. Moreover, in view of the decision reported in 1994 (1) WLC (Raj.) 679 statement of fact in newspaper is merely hearsay and inadmissible in absence of maker of statement deposing to hand perceived facts reported.

25. Similarly, Paramhans Meena and Nikhil Gupta have also been cross-examined at length, but all these 3 witnesses could not be shaken in their cross-examination and nothing has surfaced on record to discard or disbelieve their testimony. On all the material points these witnesses have corroborated the testimony of each other.

26. As against it, on behalf of the workman, 4 witnesses including the workman have been examined to prove his innocence. WW-1, Raja Ram has stated that he is working as 4th class in Bharatpur Branch since 4-9-1995 and that K. C. Gupta has named him to be present on 11-8-1995 at the hotel, whereas on that day he was not under the employment of the bank and the news and no reason for him to be present there. His evidence is thus a negative evidence which does not relate with the commission of the misconduct levelled against the workman. The next witness is WW-2, Shri R. K. Goyal, who has stated that on 11-8-1995 he was posted as Manager in Bharatpur Branch and that no brawl had taken place in his presence on 11-8-1995 at the hotel, where he was also present. But in his affidavit he has stated that he had reached the hotel around 10 p.m., whereas it has been alleged that the occurrence took place around 9.25 p.m. As such, it appears that he was not present at the scene which is further fortified by his reply to the question put to him on behalf of the bank whereby he has pleaded ignorance as to whether the incident could have taken place before his arrival on the spot. Therefore, his evidence is indefinite and vague which does not corroborate the workman's case. WW-4 is Vijay Kumar Mehra, who was posted as Manager of hotel Van Vihar on 11-8-1995, who has stated in his affidavit that on 11-8-1995 the staff members of the bank had come to see the bank's authorities staying in the hotel at about 9.30 p.m. and the alleged occurrence had not taken place. In his cross-examination, he has admitted that he personally knows the workman as he is acquainted with his elder brother, which suggests that he is an interested witness. In his affidavit he has stated on 11-8-95 at 9.30 p.m., no meeting was held by the bank authorities at the hotel, but in his cross-examination he has stated that no permission was taken from them before convening the meeting by the officers staying in the hotel. Thus, his testimony is contradictory in itself and being a Manager it can safely be perceived that he could be busy in attending his duties, whereas incident is stated to have been taken place outside the gate of the hotel. At that place and that time, the presence of the Manager of the hotel could not be expected on the spot in the aforesaid process. Moreover, none of the management witnesses could be cross-examined on behalf of the workman on this aspect as to whether the hotel manager Vijay Kumar Mehra was also present at the scene. Thus, his deposition is untrustworthy and his presence at the scene is unnatural and it is reflected that being an interested witness he has been examined on behalf of the workman.

27. I, now switch to the testimony of the workman, who has denied the alleged misconduct committed by him. In his cross-examination, he has admitted that the higher bank authorities from Delhi and Jaipur had arrived at the hotel and to see them the staff members had visited the hotel. He has stated in his affidavit that he was called by K. C. Gupta on 11-8-95 around 8 p.m. in the hotel and when he visited the hotel he found that Sh. Gupta along with some other persons were taking alcohol and that he was asked by Sh. Gupta either to provide the liquor to all of them or he would be reverted to the 4th Class. In his

cross-examination he had stated that he has complained this matter to the RM Office but has further admitted that in his complaint Ex. W-1/A this fact does not find mention.

28. I have carefully gone through the complaint Ex. W-1/A addressed by the workman to the Chairman and the Managing Director of the bank wherein he has stated that Sh. K. C. Gupta has marked him absent in the attendance register, who has tampered with the official record and the action be taken on probing into the matter. But nowhere in this application the fact of taking alcohol by Sh. K. C. Gupta and the demand of providing the liquor are mentioned. Thus, testimony of the workman is merely of the negative nature, wherein he has denied the commission of any misconduct on his part, yet he has admitted his presence on 11-8-95 at the relevant time in the hotel. It is further obvious from his evidence that in turn he has blamed the then Sr. Manager Sh. Gupta with a serious derogatory allegation of taking liquor and asking him either to fulfil his demand of alcohol or bear the consequence of reversion. It is unnatural that an officer in presence of his superior officers would take the alcohol and beyond it he would compel a subordinate employee to provide the liquor or to see the dire consequences of reverting to the post of 4th Class. It, therefore, flows that in order to save himself the workman has gone to the extent of imputing his superior with such a grievous but false allegation. The rebuttal evidence adduced on behalf of the workman is feeble, indefinite and vague and does not substantiate his plea of innocence.

29. On a critical examination of the oral evidence adduced on the record on behalf of both the parties, the management has succeeded to establish that the workman without any provocation had abused and misbehaved indecently with Sh. K. C. Gupta and had wilfully disobeyed the reasonable order issued by Sh. Gupta to adhere to his duty on 12-8-95 at the Branch Office, Bharatpur.

30. The Id. representative for the workman then has contended that the misconduct committed by the workman is not covered by para 19.5(c) of the BPS wherein the requirement is alleged indecent misbehaviour should be committed in the premise of the bank. The Id. representative has asserted that the hotel is situated nearly 7-8 Kms. away from the branch and the alleged misconduct cannot be attracted under clause 19.5(c). Countering this submission, the Id. representative for the bank has contended that the act of the workman was subversive of discipline which relates to the business and management of the bank and, therefore, it is covered under clause 19.5(c) of BPS.

31. The Id. representative for the workman in support of his submission has placed his reliance upon 1984 FJR (64) SC 16, 1996 (1) LLN SC 526 and 1994-II LLN Bombay 974. In 1984 FJR (64) SC 16 Glaxo Laboratories (India) Ltd. v. Labour Court, Meerut and Ors., the facts are that in the standing order 22 of the establishment it was provided that the acts set out therein committed within the precincts of the establishment or in the vicinity thereof will be treated as misconduct. During the strike in the establishment certain workmen who had joined the strike boarded a bus which was to carry the loyal workman who

did not join the strike and at various places the delinquent manhandled the loyal workmen. On the question whether the alleged acts of misconduct committed within the premises of establishment constitute the misconduct under the standing order, it was held by the Hon'ble Apex Court that the words "committed within the premises of the establishment" must be given full effect. It was further observed that the casual connection between the act of misconduct and the employment must be real, immediate and not remote. In this case, it was held that the alleged acts were not committed within the premises of the establishment.

32. 1996 (1) LLN SC 526, in this case the relevant clause 39(h) states that disorderly behaviour during working hours within the premises of the bank are misconduct and its second part states that any act subversive of discipline committed either within or outside the premises of the company is also a misconduct. The Id. representative for the workman has argued in view of this ruling that since the alleged misconduct was not committed within working hours, it is not a misconduct. But no such expression as "working hours" has been incorporated in 19.5(c) of the BPS in the instant case. Accordingly, the Id. representative does not derive any help from this decision being dissimilar from the present controversy.

33. In 1994-II LLN Bombay 974, the Hon'ble Court has held that in the event there is nothing to show any connection between the incident and the employment of the delinquent workmen with the undertaking, there is not nexus between alleged act of misconduct and the employment to bring within the standing orders. Thus, the facts of this case are dissimilar from the present controversy.

34. Per contra, the Id. representative has referred to (1975) 4 SSC 731 *Mulchandani Electrical and Radio Industries Ltd. v. The Workmen*, wherein the Hon'ble Supreme Court has observed as below :—

"In our opinion, on a plain reading of the clause, the words within the premises or precincts of the establishment" refer not to the place where the act where the consequence of such an act manifests itself. In other words, an act, wherever committed, if it has the effect of subverting discipline or good behaviour within the premises or precincts of the establishment, will amount to misconduct under Standing Order 24(1). We are unable to agree that Standing Order 24(1) leaves out of its scope an act committed outside though it may result in subversion of discipline or good behaviour within the premises or precincts of the establishment in question. Such a construction in our view would be quite unreasonable".

35. The next case relied upon by the Id. representative for the bank is (1995) II LLJ SC 314 wherein the Hon'ble Court has referred to its decision on the point rendered in *Mulchandani Glaxo Cases* and the views of the Hon'ble Court are usefully quoted as below :—

"In view of the consistent view taken by the different Benches of this Court, as evidenced in above

judgments, it is not possible for me to accept the contention so strenuously canvassed at the Bar by Mr. Sarnaik. In my view, there is no conflict between *Mulchandani* and *Glaxo*. The law laid down by the Supreme Court in the case of *Mulchandani* (supra) is clear. An act would be 'subversive' of discipline within the premises or precincts of the industrial establishment as long as the act has a rational and reasonable nexus with the industrial employment and has the deleterious consequence of subverting the discipline in the establishment, regardless of whether the act takes place within or outside the establishment. The emphasis is on the baneful consequence of the act, and not on its situs. Applying this test to the facts in these two writ petitions it is clear that the acts alleged against the workmen fell clearly within the definition of the misconduct under the Model Standing Order 24(1) as commission of an act subversive of discipline or good behaviour on the premises of the establishment".

36. In 1994(1) LLN Kerala 744 and 192 (II) LLJ Bombay 394, referred to on behalf of the bank, the Hon'ble Kerala High Court has held that if an assault is caused on the officer who was leading non-striking workman into the factory near its premises, it will amount to a misconduct since it has as intimate connection with employment in the factory though it was not taken place in the factory and in the later case the Hon'ble Bombay High Court has observed that the act of assault on the co-worker by the delinquent, though it took place outside the factory premises had a direct and rational nexus with industrial relations between the employer and the workmen in the establishment, which amounted to an act subversive of discipline within the meaning of the concerned standing order.

37. In view of the decision of the Hon'ble Supreme Court reported in (1975) 4 SCC 731 and (1995) LLJ SC 314, the alleged act of misconduct even if it was committed outside the premises of the bank, it has the effect of subverting discipline within the premises of the bank and will amount to misconduct under para 19.5(c) of the BPS. The submission canvassed on behalf of the bank is thus fortified by the principle propounded by the Hon'ble Apex Court in the decisions supra. The *Glaxo Laboratories* case has been discussed by the Hon'ble Apex Court in the aforesaid decisions and in view of the principles enunciated by the Hon'ble Apex Court, the Id. representative for the workmen does not derive any help from the decision relied upon by him.

38. On a careful examination the facts and circumstances and the survey of decisions referred to on behalf of both the parties, the bank has succeeded to establish that the commission of the alleged act by the workman amounts to an act subversive of discipline within the meaning of para 19.5 (c) which had a direct relation between the workman and the management and that the workman has committed gross misconduct under paras 19.5 (c) and 19.5(e) of the BPS.

39. That takes me to consider the question of disproportionate quantum of punishment awarded to the workman looking to the nature of the misconduct.

40. The Id. representative for the workman contends that the disciplinary authority has not considered the past service record of the workman before passing the punishment order, who has ten years of unblemished service at his credit and the stringent punishment has been imposed upon him which is a violation of clause 19.5 (c) of the BPS. In support of his submission the Id. representative has relied upon 1983 FJR (62) SC 100, 1984 FJR (64) SC 433, 1989, LLN- 1 SC 303, 1969 (69) SC FLR 191.

41. Contrary to it, the Id representative for the bank contends that looking to the gravity of the misconduct, the punishment imposed upon the workman is proportionate and is not harsh. The Id. representative in support of his contention has placed before the court of photocopy of a decision rendered by the Hon'ble Apex Court in the case of Mahindra & Mahindra Ltd. v. N.V. Naravade.

42. In 1983 FJR (62) SC 100, the Hon'ble Apex Court has observed that the punishment must be commensurate with the gravity of the offence. In this case, the workman was awarded the punishment of dismissal which was considered to be unjustified on the ground that the workman had 14 years of unblemished service and was not resorting to any positive action subsequently. He was charged with the misconduct of using the abusive and threatening language towards another workman.

43. 1984 FJR (64) SC 433 : In this case the workman had abused another workman in derogatory and abusive manner, the Hon'ble Court has noted that the "Charge levelled against the appellant is not serious one and it is not known how the charge, even if proved would result in any; much less total, loss of confidence of the management in the delinquent".

44. The Id. representative has also placed his reliance upon 1989 LLN-1 SC 303 and 1969 (69) FLR SC 191, which I have carefully gone through, but their facts are not applicable to the controversy at hand.

45. In contrast, the Id. representative for the bank has invited my attention towards the views taken by the Hon'ble Apex Court on the quantum of punishment imposed for a similar misconduct in a most recent case Mahindra & Mahindra Vs. N.B. Naravade, the facts thereof are that the respondent workman used abusive and filthy language against his superior, who was found guilty after concluding the disciplinary proceedings against him and was terminated by the disciplinary authority. The relevant passage of the aforesaid judgment is extracted as below :—

"In the absence of any such factor existing the Labour Court cannot by way of sympathy alone exercise the power under Section 11-A of the Act and reduce the punishment. As noticed herein above at least in two of the cases cited before us, i.e. Orissa Cement Ltd. (supra) and New Shorrock Mills (supra), this Court held: 'punishment of dismissal

for using of abusive language cannot be held to be disproportionate.' In this case all the forums below have held that the language used by the workman was filthy. We too are of the opinion that the language used by the workman is such that it cannot be tolerated by any civilized society. Use of such abusive language against a superior officer, that too not once but twice, in the presence of his subordinates cannot be termed to be an indiscipline calling for lesser punishment in the absence of any extenuating factor referred to herein above".

46. The workman in the instant case has been held blameworthy on the basis of positive and legal evidence adduced on behalf of the bank and it is found that the workman was shockingly rude towards his superior and his behaviour was so offending that he deserved to be punished. On the overall assessment of the facts and circumstances emerging in the case and considering the totality of the alleged misconduct, the punishment of dismissal awarded to him cannot be treated to be excessive and disproportionate in the light of the views expressed by the Hon'ble Apex Court in Mahindra & Mahindra Vs. N.B. Naravade. As such, the impugned punishment order does not warrant any interference.

47. In the result, the reference is answered in the negative against the workman and in favour of the management of the bank and it is held that the dismissal order dated 23-5-1997 passed against the workman is justified and legal. The claim of the workman is rejected. An award is passed in these terms accordingly.

48. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 6 जून, 2005

का. आ. 2346.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ऑयल कार्पो. लि., के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नई दिल्ली-II के पंचाट (संदर्भ संख्या 57/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-30011/102/2002-आई आर (विविध)]

बी.एम. डेविड, अवर सचिव

New Delhi, the 6th June, 2005

S.O. 2346.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 57/2003) of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi-II as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Oil

Corpn. Ltd. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-30011/102/2002-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

Presiding Officer : R. N. RAI.

I.D. No. 57/2003

IN THE MATTER OF:

Shri Ram Avtar & Others,
C/o The General Secretary,
Delhi Multi Storeyed Building,
Employees Congress,
Vandana Building,
11, Tolstoy Marg,
New Delhi-110001.

Versus

The Chairman Cum Managing Director,
Indian Oil Corporation Limited,
Scope Complex, Core No. 2,
Lodhi Road,
New Delhi.

AWARD

The Ministry of Labour by its letter No. L-30011/102/2002-IR(M) Central Government Dt. 04-04-2003 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the management of I.O.C.L., New Delhi is not regularizing the services of 10 workmen as in the Annexure from the date of his initial appointment is just, fair and legal? If not, to what relief the concerned workmen are entitled and from which date?”

It transpires from the perusal of the order sheet that notice on 29th January, 2004 and 12th January, 2005 has been sent to the workmen applicants as well the management but none appeared. The workman has not filed claim statement.

No Dispute Award is given.

Dated: 31-5-2005 R.N. RAI, Presiding Officer,

नई दिल्ली, 6 जून, 2005

का. आ. 2347.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग, के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय न.-I, चण्डीगढ़ के पंचाद

(संदर्भ-संख्या 142/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-40012/584/2000-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2347.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 142/2001) of the Central Government Industrial Tribunal-cum-Labour Court-I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 06-06-2005.

[No. L-40012/584/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. ID-142/2001

Shri Kuldip Singh,
C/o R.K. Sharma,
H. No. 372,
Sector 20A,
Chandigarh

.....Applicant.

Versus

(1) The Chief General Manager,
Telecom. Punjab Circle,
Sector 34,
Chandigarh-160001.

(2) The Principal General Manager,
Telecom. Sector 18,
Chandigarh-160001.

.....Respondents

APPEARANCES:

For the workman : None

For the management : Shri Shiv Kumar &
Anish Babbar

AWARD

Passed on 20-5-2005

Central Govt. vide notification No. L-40012/584/2000-IR(DU) dated 26-3-2001 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of Chief General Manager, Telecom. Punjab Circle, Chandigarh and the Principal General Manager Telecom., Chandigarh Distt. in ordering disengagement/termination of services of Shri Kuldip Singh a workman engaged through contractor Shri R.K. Mittal w.e.f. 27-2-99 is just and legal? If not, to what relief the workmen is entitled and from which date?”

2. Case repeatedly called none is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through court notice, workman is not present and it appears that he is not interested in persuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the management have also no objection in returning the case for want of prosecution. In view of the submission of the AR of the workman and submission of management's authorised representative, it is clear that workman is not interested to persue the present references he has not appeared despite service of the court notice on him for today and the same is returned for want of prosecution. Central Govt. be informed. File be consigned to record.

Announced.

20-5-2005 RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का. आ. 2348.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग, के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 278/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/167/2000-आई आर (डीयू)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2348.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 278/2000) of the Central Government Industrial Tribunal-cum-Labour Court No.-I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom., and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/167/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. ID-278/2K

Shri Daljit Singh,
C/o R.K. Sharma,
H.No. 372,
Sector 20A,
Chandigarh

....Applicant

Versus

- (1) The Chief General Manager,
Telecom. Punjab Circle,
Sector 34,
Chandigarh-160001.
- (2) The Principal General Manager,
Telecom Sector 18,
Chandigarh-160001.Respondents

APPEARANCES :

For the workman : None
For the management : Shri Shiv Kumar &
Anish Babbar

AWARD

Passed on 20-5-2005

Central Govt. vide notification No. L-40012/167/2000-IR(DU) dated 31-7-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of Chief General Manager, Telecom. Punjab Circle, Chandigarh and the Principal General Manager Telecom, Chandigarh Distt. in ordering disengagement/termination of services of Shri Daljit Singh a workman engaged through contractor Shri R.K. Mittal w.e.f. 27-2-99 is just and legal? If not, to what relief the workmen is entitled and from which date?"

2. Case repeatedly called none is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through court notice, workman is not present and it appears that he is not interested in persuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the management have also no objection in returning the case for want of prosecution. In view of the submission of the AR of the workman and submission of management's authorised representative, it is clear that workman is not interested to persue the present references he has not appeared despite service of the court notice on him for today and the same is returned for want of prosecution. Central Govt. be informed. File be consigned to record.

Announced

20-5-2005 RAJESH KUMAR, Presiding Officer,

नई दिल्ली, 6 जून, 2005

का.आ. 2349.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 212/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/124/2002-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2349.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.212/2002) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/124/2002-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRIRAJESH KUMAR, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT -I, CHANDIGARH**

Case No. I.D. 212/2002

Shri Jaipal Singh Raghav, son of
Shri Ram Narain Singh Village &
P.O. Dohla, Gurgaon,

Applicant

VERSUS

(1) The Sub Divisional Officer,
O/o The General Manager,
Telecom, Main Telephone
Exchange, Old Delhi Road,
Gurgaon.

Respondent

APPEARANCES

For the workman : None

For the management : Shri Anish Babbar

AWARD

Passed on 20-5-2005

Central Government vide notification No. L-40012/124/2002/IR (D.U.) dated 8-10-2002 has referred the following dispute to this Tribunal for adjudication;

"Whether the action of the Management of BSNL, Gurgaon in terminating the services of Shri Jaipal Singh Raghav son of Shri Ram Narain, a part time sweeper-cum-chowkidar w.e.f. March, 1966 is just and legal? If not, to what relief the workman is entitled to?"

2. Case repeatedly called, none is present for the workman despite registered notice served upon him for 28-3-05. Today also workman is not present and it appears that he is not interested in pursuing the case and perhaps gainfully employed. No claim statement has been filed by the workman till today. The authorised representative of the management also submitted that as workman is not appearing, the reference may be returned to the Central Government for want of prosecution. In view of the submission of the A.R. of the management's authorised representative, it is clear that workman is not interested to pursue the present reference as he has not appeared despite service of the Court notice on him for today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced.

20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2350.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 300/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/188/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2350.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 300/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/188/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 300/2000

Shri Kesar Singh, Son of
Shri Harpal Singh Village Gidderpur,
P.O. Chudiala Sudan,
Teh. Mohali, Ropar

Applicant

Versus

(1) The Chief General Manager,
Telecom. Punjab Circle, Sector 34,
Chandigarh-160 001

(2) The Principal General Manager,
Telecom. Sector 18,
Chandigarh-160001

Respondents

APPEARANCES

For the workman :
For the management

Shri O. P. Singh
Sh. Shiv Kumar &
Shri Anish Babbar

AWARD

Passed on 20-5-2005

Central Government vide notification No. L-40012/188/2002/IR (D.U.) dated 31-7-2000 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Management of General Manager Telecom, Chandigarh in terminating the services of Shri Kesar Singh Son of Shri Harpal Singh, w.e.f. 27-2-99 is, just and legal ? If not, to what relief the workman is entitled and from which date?”

2. Case repeatedly called. None is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through court notice, workman is not present and it appears that he is not interested in pursuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the Management have also no objection in returning the case for want of prosecution. In view of the submission of the AR of the workman and submission of management's authorised representative, it is clear that workman is not interested to pursue the present reference as he has not appeared despite service of the Court notice on him for

today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced
20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2351.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 309/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-40012/197/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2351.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.309/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. I. Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/197/2002-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM LABOUR COURT-I, CHANDIGARH**

Case No. I.D. 309/2000

Shri Dinesh Kumar Son of
Late Shri Balraj Kishan,
House No. 2764, Ward No. 11,
Near Jain Mandir, Kharar, Ropar

Applicant

Versus

(1) The General Manager,
Telecom, Sector-18,
Chandigarh.

Respondent

APPEARANCES:

For the workman :
For the management,

SH. O.P. Singh
Shiv Kumar &
Anish Babbar

AWARD**Passed on 20-5-2005**

Central Government vide notification No. L-40012/197/2000/IR (D.U.) dated 31-7-2000 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Management of General Manager Telecom Chandigarh in terminating the Services of Shri Dinesh Kumar Son of Late Shri Balraj Kishan, is just and legal ? If not, to what relief the workman is entitled and from which date?”

2. Case repeatedly called. None is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through Court notice, workman is not present and it appears that he is not interested in pursuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the Management have also no objection in returning the case for want of prosecution. In view of the submission of the A.R. of the workman and submission of the management's authorised representative, it is clear that workman is not interested to pursue the present reference as he has not appeared despite service of the Court notice on him for today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced
20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2352.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 136/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/578/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi. the 6th June, 2005

S.O. 2352.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.136/2001) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of

Telcom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/578/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT-I, CHANDIGARH**

Case No. I.D. 136/2001

Shri Bahadur Singh, C/o
Shri R.K. Sharma,
House No. 372, Sector 20 A,
Chandigarh-160 001

Applicant

Versus

- (1) The Chief General Manager,
Telecom., Sector 18,
Chandigarh-160001
- (2) The Principal General Manager,
Telecom. Punjab Circle, Sector 34,
Chandigarh-160 001

Respondents

APPEARANCES

For the workman :
For the management,

None
Shri Shiv Kumar
& Anish Babbar

AWARD**Passed on 20-5-2005**

Central Government vide notification No. L-40012/578/2000/IR (D.U.) dated 26-3-2001 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of Chief General Manager, Telecom Punjab Circle Chandigarh and the Principal General Manager Telecom, Chandigarh in ordering disengagement/termination of Services of Shri Bahadur Singh a workman engaged through contractor Shri R. K. Mittal w.e.f. 27-2-99 is just and legal ? If not, to what relief the workman is entitled and from which date?”

2. Case repeatedly called. None is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through Court notice, workman is not present and it appears that he is not interested in pursuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the

Management have also no objection in returning the case want of prosecution. In view of the submission of the A.R. of the workman and submission of management's authorised representative, it is clear that workman is not interested to persue the present reference as he has not appeared despite service of the Court notice on him for today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced

20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2353.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चंडीगढ़ के पंचाट(संदर्भ संख्या 375/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/306/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2353.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.375/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telcom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/306/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 375/2000

Shri Jasbir Singh, S/o
Shri Chaaja Singh
Village & P.O. Samana Kalan,
Teh & District Ropar

Applicant

Versus

- (1) The Chief General Manager,
Telecom., Sector-18,
Chandigarh-16001
- (2) The Principal General Manager,
Telecom. Circle, Sector 34,
Chandigarh-160001

Respondent

APPEARANCES:

For the workman : None
For the management : Shri Shiv Kumar &
Anish Babbar

AWARD

Passed on 20-5-2005

Central Government *vide* notification No. L-40012/306/2000/IR (D.U.) dated 25-9-2000 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of management of Department of Telecom Chandigarh in terminating the services of Shri Jasbir Singh Son of Shri Chaaja Singh w.e.f. 27-2-1999 is just and legal? If not, to what relief the workman is entitled?"

2. Case repeatedly called none is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through court notice, workman is not present and it appears that he is not interested in persuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the Management have also no objection in returning the case for want of prosecution. In view of the submission of the A.R. of the workman and submission of management's authorised representative, it is clear that workman is not interested to persue the present reference as he has not appeared despite service of the Court notice on him for today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced

20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2354.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं.-1, चंडीगढ़ के पंचाट(संदर्भ संख्या 403/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/351/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2354.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 403/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/351/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 403/2000

Shri Surjit Singh,
C/o, Shri R. K. Sharma,
H. No. 372, Sector 20A,
Chandigarh

Applicant

Versus

(1) The Chief General Manager,
Telecom. Punjab Circle, Sector 34,
Chandigarh-160001

(2) The Principal General Manager,
Telecom., Sector-18,
Chandigarh-160001

... Respondents

APPEARANCES

For the workman :	None
For the management :	Shri Shiv Kumar & Anish Babbar

AWARD

Passed on 20-5-2005

Central Government *vide* notification No. L-40012/351/2000/IR (DU) dated 28-9-2000 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of Chief General Manager, Telecom., Punjab Circle, Chandigarh and the

Principal General Manager Telecom., Chandigarh Distt. in ordering disengagement/termination of services of Shri Surjit Singh a workman engaged through contractor Shri R. K. Mittal w.e.f. 27-2-99 is just and legal? If not, to what relief the workman is entitled and from which date?”

2. Case repeatedly called. none is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through court notice, workman is not present and it appears that he is not interested in pursuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the management have also no objection in returning the case for want of prosecution. In view of the submission of the AR of the workman and submission of management's authorised representative, it is clear that workman is not interested to pursue the present reference as he has not appeared despite service of the Court notice on him for today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced

20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2355.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधतंत्र के संबद्ध. नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 160/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/577/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2355.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.160/2001) of the Central Government Industrial Tribunal/Labour Court No I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/577/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 160/2002

Shri Kuldeep Singh,
C/o. Shri R. K. Sharma,
H. No. 372, Sector 20A,
Chandigarh

—Applicant

Versus

(1) The Chief General Manager,
Telecom., Punjab Circle, Sector 34,
Chandigarh-160001

(2) The Principal General Manager,
Telecom., Sector-18,
Chandigarh-160001

—Respondent

APPEARANCES

For the workman	:	None
For the management	:	Shri Shiv Kumar & Anish Babbar

AWARD

Passed on 20-5-2005

Central Government *vide* notification No. L-40012/577/2000/IR (DU) dated 26-3-2001 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of Chief General Manager, Telecom., Punjab Circle, Chandigarh and the Principal General Manager Telecom. Chandigarh Distt. in ordering disengagement/termination of services of Shri Kuldeep Singh a workman engaged through contractor Shri R.K. Mittal w.e.f. 27-2-99 is just and legal ? If not, to what relief the workman is entitled and from which date ?”

2. Case repeatedly called, none is present for the workman. His earlier authorised representative Shri Tanved Ali Khan is not present. On the request of the new AR Shri O.P. Singh, Court notice was issued as the workman was not contacting the union. But despite service of the workman through court notice, workman is not present and it appears that he is not interested in pursuing the case and perhaps gainfully employed. Statement of AR of the workman recorded and the AR of the management have also no objection in returning the case for want of prosecution. In view of the submission of the AR of the

workman and submission of management's authorised representative, it is clear that workman is not interested to pursue the present reference as he has not appeared despite service of the court notice on him for today and the same is returned for want of prosecution. Central Government be informed. File be consigned to record.

Announced

20-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ. 2356.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 279/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-40012/162/2000-आईआर(डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th June, 2005

S.O. 2356.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.279/2000) of the Central Government Industrial Tribunal/Labour Court No. I, Chandigarh now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom. and their workman, which was received by the Central Government on 6-6-2005.

[No. L-40012/162/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE SHRI RAJESH KUMAR, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH**

Case No. I.D. 279/2000

Shri Ram Kumar
C/o Shri R. K. Sharma,
H. No. 372, Sector 20A,
Chandigarh

Applicant

Versus

(1) The Chief General Manager,
Telecom., Punjab Circle, Sector 34,
Chandigarh-160001

(2) The Principal General Manager,
Telecom., Sector-18,
Chandigarh-160001

Respondents

APPEARANCES:

For the workman : None
 For the management : Shri Shiv Kumar
 & Anish Babbar

AWARD**Passed on 20-5-2005**

Central Government *vide* notification No. L-40012/162/2000/IR (D.U.) dated 31-7-2000 has referred the following dispute to this Tribunal for adjudication :—

“Whether the action of Chief General Manager, Telcom., Punjab Circle, Chandigarh and the Principal General Manager Telecom., Chandigarh Distt. in ordering disengagement/termination of service of Shri Ram Kumar a workman engaged through contractor M/s. Gupta w.e.f. 27-2-99 is just and legal? If not, to what relief the workman is entitled and from which date of?”

2. Workman AR submits that workman is not contacting him nor available and old representative is also not traceable. It appears that workman is interested. The management representative Shri Shiv Kumar submit that as per postal report workman is not available and he prayed for the dismissal of the reference. Statement of AR of both the parties recorded to the effect that old AR is not traceable and workman is not contacting himself to the union and the management has no objection.

3. In view of the submission of the rep. of the management and that of the workman who is now President of the Union Mr. O.P. Singh, it appears that workman is not interested and gainfully employed. the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh
 20-5-2005

RAJESH KUMAR, Presiding Officer.

नई दिल्ली, 6 जून, 2005

का.आ. 2357.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उड़ीसा माईनिंग कार्पो. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 422/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-29011/48/2001-आईआर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 6th June, 2005

S.O. 2357.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the Award (Ref. No. 422/01) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Orissa Mining Corpn. Ltd. and their workmen, which was received by the Central Government on 6-6-2005.

[No. L-29011/48/2001-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
 TRIBUNAL-CUM-LABOUR COURT,
 BHUBANESWAR**

PRESENT:

Shri N.K.R. MOHAPATRA,
 Presiding Officer, C.G.I.T.-cum-Labour
 Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 422/2001

Date of Passing Award—13th May, 2005

BETWEEN:

The management of the Managing Director,
 Orissa Mining Corporation Limited,
 OMC House, Bhubaneswar

...1st Party-Management

AND

The Workmen represented through the
 General Secretary,
 Orissa Mining Workers Federation, OMC Ltd.
 OMC House, Bhubaneswar,

...2nd Party-Union

APPEARANCES:

M/s. M.R. Mohanthy & Associates, Advocates For the 1st Party
 Management.

M/s. S.S. Das & Associates, Advocates For the 2nd Party
 Union.

AWARD

1. The Government of India in this Ministry of Labour in exercise of the powers conferred under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication *vide* their Order No. L 29011/48/2001-IR (M), dated 6-9-2001:—

“Whether the action of the management of OMC by not paying equal pay to 251 employees (as per list) at par with the regular employees of OMC is

justified ? If not, to what relief the workmen are entitled to ?”

2. The case of the workmen numbering 251 as presented by the 2nd Party Federation is that they are working continuously in different mining areas of the 1st Party-Management since 31-12-1990 and prior to it either as daily rated monthly paid employees or on adhoc basis or against some designated posts. For providing better service benefits to them the 2nd Party-Federation had earlier submitted a charter of demands and accordingly the 1st Party-Management had appointed a committee under the Chairmanship of Shri D. Mohanta, the then General Manager (Mines) to make an in-depth study and to submit a report accordingly. In the 312th General Body Board Meeting of the Management the report of the committee was placed for consideration and in it, it was decided to absorb as non-permanent employees only those of the workers who were engaged prior to 31-12-1990 but not all other workers engaged subsequent thereto. Accordingly the State Government was moved for according approval and creation of additional posts but it was turned down by the Government. Here it is further averred that though creation of additional posts was within the competency of the Board of Directors, the matter should not have been referred to the State Government for approval etc. and as such the workers need to be absorbed in service pursuant to the decision of the Board. It is further contended by the Federation-2nd Party that out of the listed 251 workmen the Management has already regularized the services of Sl. No. 154, 158, 159, 163, 179 and 180 while Sl. No. 39 to 46, 94 to 98, 179 to 192, 194, 196, 198 to 206, 223, 224, 227 to 230, 233 to 238, 241, 243 and 244 have filed different cases in various legal forums for regularization of their service and therefore the present dispute is to be limited to the rest of the workmen.

3. In reply to the above claim of the 2nd Party-Federation, the 1st Party-Management (Orissa Mining Corporation) has contended that in order to meet the time to time exigencies of work these 251 and many other workers were engaged at different point of time by picking them from the open market by the Mines Manager/Camp Officer and they were engaged either as adhoc employees or daily rated monthly paid employees on payment of minimum wages prescribed by the Government from time to time. In a latter stage, considering the difficulties of the workers, the Management also adjusted some of them against regular vacancies while few others against a category called “Non-permanent category” for their future regularization subject to the restriction imposed by the State Government in the matter of reducing the staffing strength. In so far as the left out persons (meaning the 251 workmen in question) a committee was set up on the demand of the 2nd Party-Federation to make an in-depth study of the problems of these workmen and on that basis

the Board of Directors, hereinafter called the Board, recommended to the State Government to create sufficient number of posts for absorption of those of the workers who had joined the job prior to 31-12-1990 against “non-permanent” category. But on the refusal of the State Government to create such posts it is no more practicable on the part of the Management to provide regular service to all these workers at a single stroke without following the restriction prescribed under O.R.V. and C.N.V. Act and the Rules framed thereunder and the other restrictions imposed by the Government for abolition of 50% of the posts.

4. As regards the maintainability of the present claim for absorption of the workmen, the Management further contends that since some of the workmen have preferred separate similar cases in different other legal forums as also before Hon’ble High Court demanding their regularization/absorption, this Tribunal by going outside the term of reference can not adjudicate the question of absorption of these workmen pending disposal of the cases filed before the Hon’ble High Court.

5. On the basis of above claim and counter claim of the parties the following issues were framed :—

ISSUES

- (i) Whether the action of the Management of Orissa Mining Corporation by not paying equal pay to 251 employees (as per list) at par with the regular employees of Orissa Mining Corporation is justified ?
- (ii) If not, what relief the workmen are entitled to ?

6. For convenience sake both the issues are taken up together.

It may be reiterated that, though under the terms of the reference the Government of India has asked the Tribunal to examine as to whether the listed 251 employees are entitled to get equal pay for equal work, the Federation, representing the workmen has claimed for regularization of these workers in its claim statement. Now therefore, the question arises as to whether the terms of the reference and the present claim of the Federation can be considered be complimentary to each other or whether the claim for regularization can ever be considered as a matter ancillary to the terms of reference.

7. It is the settled law that regularization of service depends on various factors such as status of the employees, the length of service rendered by the employees, whether by such continuous employment their status have been changed, the manner and methods of recruitment of employees, availability of permanent posts for them and the rules/schemes framed for regularization

of such employees. Whereas in case of equal pay for equal works factors such as the qualification of employees, methods of their appointment, the criteria prescribed for such recruitment and the quality and quantity of work performed by both regular and non-regular/casual employees are to be taken into consideration along with the pay structures prescribed for different categories of employees. Besides the availability of work for such employees are also to be taken into consideration so as to cut a balance between the regular employees and the non-regular employees. Thus from the above it appears that the guiding principles prescribed both for regularization and equal pay for equal work are based on two different and distinct concepts and as such the claim for equal pay for equal work can not either be considered to be complimentary or matter ancillary to a claim for regularization of service.

8. As per the terms of reference it is required to examine whether the listed workers numbering 251 are entitled to get equal pay at par with the regular employees. The word equal pay at par with regular employees cannot be read in isolation without reference to the term "equal work". As pointed out in the foregoing Para for a claim for equal pay for equal work it is to be shown that the work performed by the non regular/casual employees are similar both in quality and quantity with that of the work performed by regular employees. Besides it is also to be shown that the casual workers have possessed necessary qualification or acquired necessary knowledge and experience matching with that of their counter-part regular employees. It is also to be shown the pay structures prescribed for both the categories besides providing data's about availability of work for the non-regular employees so as to cut a balance between regular employees and non-regular employees. But in the instant case no such material has been brought on record nor any witness has been examined from the side of the Federation representing the workmen to cut such a balance or to prove that they are in no way less competent than the regular employees. A good number of decisions have simply been filed from the side of the Federation on the subject of equal pay for equal work. But in the absence of materials on record as pointed out earlier, the applicability of these decisions becomes remote. When under the terms of reference the Tribunal is required to examine the question relating to equal pay for equal work it can not by going beyond such terms of the reference decided by a circumbent approach the question of regularization when some of the 251 workers have already filed separate O.J.C. No. 2530/99 and 3375/99 before the Hon'ble High Court of Orissa on grounds similar to the present one.

9. Admittedly in order to provide better service benefits to the casual workers the Management had appointed a committee to make an indepth study of the problems of these workers and on the basis of

recommendation on the committee the Management had moved the State Government pursuant to a decision taken in 312th Board meeting for creation of additional post for absorption of the 251 workmen in a non-permanent category as was done on earlier occasions. It is also the admitted case of both the parties that on the refusal of the Government to create such posts the 2nd Party-Federation raised an Industrial Disputes culminating in the present reference. It is also admitted that few of the workmen involved in this reference being aggrieved with the decision of the State Government filed separate O.J.C. No. 2530/99 and 3375/99 before the Hon'ble Court claiming regularization on the basis of the decision taken in 312th Board Meeting. On perusal of the judgement delivered by the Hon'ble Court in the above noted two O.J.Cs it can be gathered that in O.J.C. 3375/99 the petitioners had claimed extended service benefits for daily rated monthly paid employees (DRMP) working in designated posts in terms of the decision of 312th Board meeting and in O.J.C. 2530/99 claim was laid on the basis of above decision of the Board for extended benefits as available to a non-permanent employee and for payment of minimum pay and D.A. as applicable to a regular employee working in parallel posts. The above two prayers no doubt look different but the decision of 312th Board meeting being the basis for all these claims as also for the present claim there can not be different treatment for different workmen. If these different prayers are considered along with the memorandum proposed for the 312th Board meeting (Ext.-1) and the decision of the board under item 9(J) (Ext.-2) it would lead to an irresistible conclusion that virtually all these divergent prayers are directed against a common demand for regularization/absorption of these workmen in a category called non-permanent category. The judgements delivered by the Hon'ble Court in the above noted O.J.Cs show that in both these cases the State Government was directed in the year 2001 to consider the recommendation of 312th Board Meeting within a stipulated period and after the above order of the Hon'ble Court the present reference was received in Sept. 2001 when the Government was yet to take a decision as per the direction of the Hon'ble Court. From a xerox copy of a Government letter available on record it appears that the Government of Orissa, Department of Steel and Mines in its letter No. 2161, dated 4-3-2003 have turned down the proposal for creation of additional posts given by the 1st Party-Management.

10. In the above back drop of the case it was argued further by the Counsel for the workman that the 1st Party-Management being a body corporate having its independent financial power to exercise it should not have referred the matter to the Government for creation of additional posts for the workmen. Reliance being placed in a case between Narayan Chandra Das—Versus—State of Orissa and others reported in 1994 (II) OLR 343 it was further submitted that in so far as the functioning of the

1st Party-Management the Government of Orissa except in the matter of appointment of Director, Chairman and Managing Director has got no power of interference in all other matters of appointment. Emphasis being placed on the above ruling it was submitted that when the Board of Directors in their 312th meeting have already taken a decision to absorb the workman in a non-permanent category they should equally come forward to make necessary provision in that direction independent of any decision of the Government of Orissa. In other words it was submitted that the Management being itself competent to create additional posts it can not escape from its said liability by throwing the responsibility on the State Government.

11. As against the above submission it was argued by the 1st Party-Management that creation or abolition of posts is always within the prerogative discretion of the employer and that an employee or its Union cannot encroach upon such power or force the Management to exercise its power to their suitability. In the reported case between State of Haryana—Versus—Piara Singh (AIR-1992-SC-2130) it has been observed by their Lordship that “ordinarily speaking the creation and abolition of posts in the prerogative of the Executive. It is the executive again that lays down the conditions of service, subject of course, to a law made by the appropriate legislature. This power to prescribe the conditions of service can be exercised either by making rules under the proviso to Article 309 of the Constitution or (in the absence of such rules) by issuing rules/instructions in exercise of its executive powers. The Court comes into picture only to ensure observance of fundamental rights, statutory provisions, rules and other instruction, if any, governing the condition of service.”

12. From the pleading of the parties it is clear that the Management has formulated a scheme for absorption of the casual workers and under it a separate category of employees have been created under a title “Non-permanent category.” Under the above scheme casual workers having the prescribed qualification and service experience have been taken to the above category with minimum service benefits for the purpose of their future regularization against permanent posts and there is no denial to the fact that in the past several casual workers have already availed of such benefits year after year. In view of the same the management can not be asked (as argued by the Federation) to create posts for these workmen as per the decision of the 312th Board meeting ignoring the decision of the State Government and without looking at its financial condition specially in the face of an existing scheme mentioned above and pay equal monetary benefits and other service benefits to these workmen in terms of salary and other benefits at par with their counterpart regular employees.

13. However, while parting with the judgement (Award) I would like to mention here that a provide protection to the services of these workmen who have been rendering services since long the Management may be good enough to find out an alternative method to improve the financial condition of these workmen.

14. Creating new posts for absorption of the workmen may be a problem for the Management (as is the stand taken by the Management in the present case) but such problem can be meted out otherwise if the Management is really sincere to take care of the futures of the casual employees who have rendered continuous services to the establishment of the Management. Creation of posts is necessary only in case of absorption of the employees but in so far as payment of wages at a higher rate is concerned no such post needs to be created. The Government of India, Ministry of Personnel, Public Grievance and Pension Department of Personnel and Training in their Office Memorandum No. F-49014/2/86-Estb. (C) have prescribed certain guidelines in respect of the casual workers who are rendering same nature of work like the regular employees. Under the scheme a casual labourer continuously engaged for a longer period has been declared entitled to 1/30th pay at the minimum of the relevant pay scale + D.A. of the regular employee (subject to limited restriction) for the work of eight hours a day. As per the said Office Memorandum such benefits have been given without creation of new posts. Therefore, if the Management is really serious in its thought of improving the financial condition of the casual workers it is high time for the Management of OMC to formulate a separate scheme akin to the scheme referred to above with necessary modifications prescribing therein certain modalities for the future absorption of the listed workmen in the cadre of non-permanent category.

15. With the above observation and for the discussions made under various issues it is held that the 251 workmen are not entitled to get equal pay at par with regular employees. But however, in keeping pace with the intention as reflected in its 312th Board meeting, the Management is directed to think of formulating a separate scheme of 1/30th pay with or without limited service benefits in the light of the Office Memorandum referred to above (with suitable modification and alteration) so as to protect and preserve the services of the 251 workmen for their future absorption in the existing non-permanent category.

16. Reference is answered accordingly.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 6 जून, 2005

का.आ.2358.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल एयरपोर्ट ऑथोरिटी ऑफ इण्डिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली-II, के पंचाट (संदर्भ संख्या 108/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-11012/1/97-आई आर (विधि)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 6th June, 2005

S.O. 2358.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 108/97) of the Central Government Industrial Tribunal-cum-Labour Court, New Delhi-II, as shown in the annexure in the Industrial Dispute between the employers in relation to the management of National Airport Authority of India and their workman, which was received by the Central Government on 06-06-2005.

[No. L-11012/1/97-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-**

LABOUR COURT—II

NEW DELHI

PRESIDING OFFICER : R. N. RAI

I.D. No. 108/97

IN THE MATTER OF:—

**Sh. Suresh Kumar S/o Sh. Chhatter Pal,
Tripura Bhawan, Guest House,
Race Course,
New Delhi.**

Versus

**The Director (Admn.)
National Airport Authority of India,
A-Block, Rajiv Gandhi Bhawan,
Safdarjung Airport, New Delhi.**

AWARD

The Ministry of Labour by its letter No. L-11012/1/97-IR (Misc.) Central Government dt. 10-07-1997 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the action of the management of National Airport Authority of India in terminating the services of Shri Suresh Kumar, Safai Karamchari w.e.f., 01-11-1995 is just, and fair? If not, what relief the concerned workman is entitled to?”

That the applicant had been working in the Rajiv Gandhi Bhawan Departmental Canteen of National Airport Authority at A-Block, Rajiv Gandhi Bhawan, New Delhi as Safaiwala since April, 1994. That on the direction of Ministry of Civil Aviation and Tourism (Department of Civil Aviation) the applicant and one other person namely Madhav, were appointed on daily wages as unskilled workman in April, 1994.

This was done to provide better service to the staff of Ministry and National Division of A.A.I. as the quantum of work was unmanageable for the existing staff of the Canteen.

That the payment to the applicant used to be made by the A.A.I. through its contractor who had acted as a tout and had introduced the applicant to the Management to get appointed with the A.A.I. as daily wagger. That the strongly enough the salary to the applicant was being paid through the contractor and the applicant was employed and continued as such even though the work and duty was of permanent nature and the applicant had worked continuously till 31-10-1995 till the time his services were illegally and arbitrarily terminated. The applicant was being paid on day to day basis instead of month basis as other regular employees including class-IV, workers are paid. Thus the applicant was deprived of benefits like C.P.F., Insurance, Medical, H.R.A. etc. and other benefits and the sword of insecurity hanging of his head all the time and which infact has already been used w.e.f. 1st November, 1995, when the services of the applicant have been illegally terminated.

That the applicant requested the authorities to remove the above anomalies and irregularities and to regularise his services in furtherance to which on 31st August 1994 it was decided that the payment to the daily wagers working in the Canteen (including the applicant) would be made by the National Airport Authority and the before the salary used to be paid the said authority. The minutes of the meeting dt. 31st August, 1994 are enclosed as Appendix ‘A’. The applicant was not paid his salary for February, March, April & May, 95 for which he complained to the Chairman A.A.I. on which the Canteen Manager and Director (Admn.) got annoyed and threatened the applicant to terminate his services. That the applicant continued to request/represent to the authorities to regularise his services and extended benefits mentioned in services and extended benefits mentioned in para 4 above and the authorities by their word and conduct assured the applicant time and again by word and conduct that his services would be regularised in due course.

That, however, contrary to the assurance and understanding given to the applicant on 1st Nov., 1995 when the applicant went to join his duty he was not allowed to sign the duty roster and was informed that his services had been terminated. That the applicant has worked for 19 months continuously i.e. from April, 1994 to Oct., 95 and his services have been illegally terminated without following the due process of law and in gross violation of the provision of the Industrial Disputes Act. The photo copy of the duty roster showing that the applicant has worked in the Canteen for 19 months continuously is attached herewith as Appendix 'B'.

That after terminating the service of the applicant illegally other persons have been appointed in the Canteen who are performing the same duty as were being performed by the applicant. That thus it is established that there is continuity of work and the work is of continuous and permanent nature and also the authorities were estopped to take such an action by their word and conduct. That the above said action of the A.A.I. Authority of not regularising service and instead terminating the services of the applicant amounts to unfair practice as defined in the I.A. Act and the action of termination is liable to be cancelled and the applicant is entitled to be reinstated in service with full back wages all consequential benefits and also regularisation in service.

The management has filed written statement. In the written statement, it has been stated that since the claimant, at no point of time was employed by the Management, he is not a "workman" as defined in Sub-Section(s) of Section 2 of the Industrial Disputes Act, 1947. Hence the order of reference is bad in law. The Claimant, Shri Suresh Kumar cannot, by any stretch of imagination, be covered with in the expression of "Workman". Therefore, the present order of reference which presupposes that the claimant is a "workman" is bad in law. That the order of reference is wholly mis-conceived, incompetent, illegal and invalid. The order of reference does not refer for adjudication the "real matter in dispute" between the parties. The dispute between the parties as was submitted by the management before the Learned Reconciliation Officer and as also stated in the failure report, was that Shri Suresh Kumar was at no point of time employed by the management and was only an employee of one of the contractors, therefore, there was no question of termination of his services by the management. However, the order of reference is based on presumption that the claimant, Shri Suresh Kumar, was a workman under the management of the National Airport Authority. The terms of reference as per the order of reference are as under :—

"Whether the action of the management of National Airport Authority of India in terminating the services of Shri Suresh Kumar, Safai Karamchari w.e.f., 01-11-1995 is just, and fair? If not, what relief the concerned workmen is entitled to?"

The actual dispute between the parties are that the claimant was not the employee of the management, therefore, the management could have never terminated his services. But the order of reference presupposes the existence of termination and employer and employee relationship. In these circumstances, as per section 10(4) of the Act, this Hon'ble Tribunal cannot go into the question of existence of termination of services and also whether Shri Suresh Kumar is a workman, therefore, the order of reference is bad. It is pertinent to mention here that the order of reference cannot be based on mere presumptions. In fact it should refer the real matter in dispute. Hence, no adjudication proceeding can take place on the basis of the instant order of reference.

The order of reference refers the matter for adjudication to the Industrial Tribunal under Section 10(1)(d) of the Act, whereas as per item 3 of the Second Schedule to the Act "discharge or dismissal of workmen including reinstatement of, or grant of relief to workmen wrongfully dismissed" are the matters which can under the Industrial Disputes Act, 1947, be adjudicated upon by the Labour Court only and the Industrial Tribunal cannot transgress the jurisdiction of a Labour Court. As would be apparent from the order of reference, the matter in dispute as per the instant order of reference is one of the matters specified in item 3 of the second schedule of the Act. As per the provisions of the Industrial Disputes Act, Under Section 10(1) of the Act, the dispute referred in the instant order of reference falls under the exclusive jurisdiction of Labour Court instead of the Industrial Tribunal. Hence, this Hon'ble Tribunal does not have the jurisdiction to entertain the present matter. The proceeding should be dropped on this very ground that the order of reference is bad in law and liable to be set aside.

It is relevant to point out that the claimant Shri Suresh Kumar, was a contract labour under an independent contractor, M/s. Arcon India Limited. hence, as such, there was no 'master' and 'servant' relationship between the management and the claimant. The claimant was not an employee of the management and hence his name was not borne in "Muster Roll" of the management. He was a "CONTRACT LABOURER" under a direct supervision and disciplinary control of the respective contractor. It is relevant to point out that at no time "Appropriate Government" has prohibited the engagement of the contract labourer through contractors. Neither the "CONTRACT LABOURER" (REGULATION AND ABOLITION) Act, 1970 nor "RULES" framed therein provide that upon terminating the services of the contractor by the contractor the said contract labour who was working under the direct supervision and disciplinary control of the respective contractor should be absorbed or otherwise treated as employees of the "PRINCIPAL EMPLOYER". It may be useful to make a reference to the pronouncement of the Apex Court in the case of 1957 (2) LLJ 658 "Umed Singh Hamira

Vs. Masderi Mills Limited” where in it was held that the workmen employed by the Cooperative Society in the Canteen run by it in the premises and the equipment provided for by the management cannot be considered to be “EMPLOYEES” qua the management. Hence there is no justification for the claimant to claim for absorption by the Principal Employer i.e., the management of the National Airport Authority.

That it is the respectful submission of the management that the “National Airport Authority of India” is a Public Sector and hence, the workman to be taken as regular employee can be appointed only as per the rules, regulations and guidelines provided for the same from time to time. The claimant cannot seek employment with the management by passing all the rules in that regard by claiming absorption solely on the ground that he worked as a contract labour. In this matter, it may be relevant to make reference to the pronouncement of the Apex Court, in 1992 L.I.C. 2332 and 1990 L.I.C. 405, wherein it was held that a contract labour working in an establishment in Public Sector under a contractor is not entitled to claim absorption on regular basis without being sponsored by an Employment Exchange even if he has worked continuously for five years. It is opened to establishment in Public Sector to choose the media of Employment Exchange for filling up of vacancies and the establishment cannot be compelled to appoint persons other than those sponsored by the Employment Exchange. It was also held that the word “employer” as such is not defined, however on the other hand the definition of Principal Employer denotes the existence of middle man that is a contractor. Therefore, there is no direct “master and servant relationship” between the management and the contract labour. As such there was no Industrial Dispute between the claimant and the management and hence on this very ground the order of reference is bad and the present proceeding should be dropped. It is significant to note that the claimant was not engaged by the contractor for work of management which is of permanent nature.

That the application is bad for non-joinder of the necessary party, i.e. M/s. Arcon India Limited the contractor under whose supervision the present claimant Shri Suresh Kumar worked as a contract labour. That the claimant is neither a “workman” nor “employee” of the management, as such there exist no “Industrial Dispute” between the claimant and the management and the order of reference which presupposes a termination of the services of the claimant by the management is bad and no adjudication proceedings can, therefore, take place on the basis of the present order of reference. The issue of absorption of claimant in the employment of the management is beyond the jurisdiction of the Hon’ble Tribunal.

It is submitted that the dispute if any exists is between the contractor i.e. M/s. Arcon India Limited and the claimant and not between the claimant and the management, as the

claimant was not a workman under the management. It is submitted that the said Shri Suresh Kumar was contract labourer under one of the contractors, M/s. Arcon India Limited, who was a contractor of conservancy services. Shri Suresh Kumar was engaged by the contractor for conservancy services and not for Canteen purposes. the contractor deputed its workers on rotational basis at various points/areas of the Rajiv Gandhi Bhawan.

It is submitted that the said claimant, Shri Suresh Kumar was appointed by the contractor M/s. Arcon India Limited and was working under the supervision of the said contractor and there was no direct relationship of “master-servant” between the management and the claimant and hence there is no dispute of the Industrial nature between the management and the claimant. It is the respectful submission of the management that as the Ministry of Civil Aviation was shifted in Rajiv Gandhi Bhawan, seeking the temporary shortage of staff in CAD Canteen, for short period Shri Suresh Kumar was deputed by the contractor M/s. Arcon India Limited. It is specifically denied that the appointment was done to provide better services to the staff of Ministry and Information Division of Airport Authority of India and the quantum of work was unmanageable by the existing staff of the canteen.

It is denied that the contractor acted as a tout and had introduced the claimant to the management to get appointed with the Airport Authority of India as daily wager. As mentioned in the foregoing paragraphs, it is submitted that the claimant was paid by the contractor and there was no direct relationship between the claimant and the management. The management used to pay the money to the contractor for maintenance of the canteen and at any point of time the Respondent Management paid any wages to the contract labour like the one the said claimant Shri Suresh Kumar. It is further denied that the nature of duty was of permanent nature and the claimant had worked continuously till 31st October, 1995. It is categorically denied that the services of claimant were illegal and arbitrarily terminated. It is submitted the said Shri Suresh Kumar was paid by the contractor. The allegation that the services were terminated illegal is baseless and misconceived. As mentioned in foregoing paragraphs that when the claimant was not an employee under the Respondent Management the question of termination could not arise. The mere presumption that the claimant worked as a regular employee under the Respondent Management, will not form a basis for the allegation of illegal termination. It is denied for want of knowledge that the claimant was being paid on day to day basis instead of monthly basis because the claimant was not an employee under the respondent Management. Since, there existed no relationship of employer and employee the allegation that the claimant was deprived of benefit like C.P.F., Insurance, Medical, H.R.A. etc. and other benefits and the sword of insecurity hanging on his head all the time and the services of the claimant have been illegally terminated are absolutely misconceived and denied. It is

submitted that the claimant was not an employee and hence the question of benefits mentioned above will not arise and the allegation of termination of services is misconceived.

The workman applicant has filed rejoinder and in his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement.

Evidence of both the parties has been taken. The Management has denied most of the paras of the claim statement.

Heard argument from both the sides.

The workman applicant has filed written argument. The management was heard orally. It was submitted from the side of the applicant that payment to the applicant was made by the AAI through its contractor who had acted as a tout and had introduced the applicant to get appointment of daily wager. The workman has worked continuously till 31-10-1995. He was appointed in April 1994. He has worked for more than 240 days. He requested the authorities to regularize his services and to remove the anomalies and irregularities. It was decided that the payment to the daily wager working in the Canteen to be made by the National Airport Authority. The applicant has not received his pay for February, March, April and May 1995. He complained to the Chairman, AAI. When the applicant went to join duty on 1st November, 1995 he was not allowed to sign the duty roaster and he was informed that his services have been terminated. The petitioner has worked for 19 months continuously from April 1994 to October 1995 and his services were terminated without following the due process of law. He was not paid money in lieu of compensation. The work is of continuous and permanent nature.

It was submitted from the side of the management that the workman was a contractor's man. he was not an employee of the management so the reference is bad in law. The management has not terminated the services of the workman applicant and he was not an employee of the management. The order of reference is one of the matters specified in item 3 of the 2nd schedule of the act as per the provisions of the ID Act under Section 10 (10 of the Act.) The dispute referred in the instant order of the reference falls under the exclusive jurisdiction of Labour Court instead of Industrial Tribunal so the Hon'ble Tribunal does not have jurisdiction to entertain the present matter. The Claimant Suresh Kumar was a contractor labour under M/s Arcon India Limited so there is no master servant relationship between the claimant and the management. He was a contract worker and he worked under the control and supervision of the contractor. The contractor was his principal employer.

In 1957 (2) LLJ 658, the Hon'ble Supreme Court has held that such employees are not the employees of management. In 1992 LIC 2332 and in 1990 LIC 405 it has been held by the Supreme Court that contract labour working in an establishment in Public Sector under the contract are not entitled to claim absorption on regular basis without being sponsored by an employment exchange even if he has worked continuously for five years.

That the application is bad for nonjoinder of necessary parties. The workman applicant has not impleaded the contractor M/s. Arcon India Limited. He was deputed by the contractor for cleaning Rajiv Gandhi Bhavan. The contractor did not act as a tout. The termination of the services of the workman was quite legal. It has been held in 2004 (4) 1 SSC Page 126 that the factors to be considered inter alia are :—

(1) Control, (2) Integration, (3) Power of appointment and dismissal, (4) Liability to pay remuneration and deduct insurance contribution, (5) Liability to organize the work and supply tools and materials, (6) Nature of mutal application, (7) Terms and conditions of contract.

It has been held in this case that if the work is of permanent and perennial nature they shall be deemed to be directly employed by the administration. In the present facts and circumstances of the case the workman is entrusted with the work of cleaning and sweeping Rajiv Gandhi Bhavan. Cleaning and Sweeping is a work of permanent and perennial nature. Contract labour cannot be employed for such work. The same view has been expressed by the Hon'ble Supreme Court in (1999) 3 SCC 601, 1994 SCC (L&S) 765. The work of workman applicant is of perennial nature. It has been held in JT 2003 (1) SC 465 that contract labour should not be permitted when the work is of perennial nature. The Hon'ble Supreme Court in JT 1999 (2) SC 435 has held that Contract Labour (Regulation & Abolition) Act 1970 is a beneficial piece of legislation. It should not be considered with narrow pedantic approach. The widest possible meaning ought to be offered to the expressions used in the act and contract labourer should not be left on the mercy of the intermediary. From perusal of the citation referred to above it becomes quite explicit that the workman was intrusted with the work of safai. Such a work is work of perennial nature. Contract labour cannot be engaged for such nature of work. He worked under control and supervision of the management and he was integrated to the establishment. Later on payment was made through the NAA as such he was under control and supervision and payment of the management. No paper has been filed regarding any agreement of contract between M/s. Arcon India Limited and the Management. The so called contractor has got

no registration. There is no term of contract. In the circumstances contract shall be deemed to be camouflage and as such the workman will become an employee of the management and there shall be deemed to be a contract of service. In the facts and circumstances of the case there is no term of agreement so it shall be deemed that the workman was directly engaged by the management and there was master and servant relationship between the management and the workman applicant. The law cited by the management is not applicable in the present facts and circumstances of the case.

The reference is replied thus :—

The action of the management of National Airport Authority of India in terminating the services of Shri Suresh Kumar, Safai Karamchari w.e.f. 01-11-1995 is neither just nor fair. The workman applicant is entitled to be reinstated w.e.f. 01-11-1995 to the post of Safai Karamchari with 25 % back wages. The Management is directed to reinstate the workman applicant within one month from publication of the award. In case of default the workman applicant will be entitled to get 10% interest over the entire back wages.

The Award is given accordingly.

Dated : 25-05-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2359.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं०-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 350/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-6-2005 को प्राप्त हुआ था।

[सं. एल-12011/51/2000-आईआर(बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 7th June, 2005

S.O. 2359.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 350/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh No. 1, as shown in the Annexure, in the Industrial Dispute between the management of UCO Bank, and their workman, received by the Central Government on 6-6-2005.

[No. L-12011/51/2000-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D. 350/2000

The General Secretary,
UCO Bank Employees Union,
Central Office C/o UCO Bank,
G.T. Road, Jalandhar (Punjab)Applicant

Versus

UCO Bank, The Divisional Manager,
UCO Bank, Sector 22,
ChandigarhRespondent

Appearances :

For the workman : None
For the management : Shri N. K. Zakhmi,
Advocate

AWARD

Passed on 11-5-2005

Central Government vide notification No. L-12011/51/2000/IR (B-II) dated 11-9-2000 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of UCO Bank in cancelling the notification dated 10-9-1996 for filling up the vacancy of Head Cashier category E vide circular dated 11-5-1998 and filling up the vacancy by posting Chief Cashier from officer cadre by transferring a officer from outside the branch is just and legal ? If not, to what relief the concerned workmen/Union are entitled ?”

2. Case repeatedly called. None has put up appearance on behalf of the Union today also nor affidavits in evidence has been filed by the Union. On persual of the file it is found that for the last many dates from 13-7-04 none is appearing for the Union despite notice to them. The learned counsel for the management submitted that it appears that Union is not interested to pursue with the present reference and the case may be closed.

3. In view of the above submission and my persual of the order sheet. I have found that Union is not appearing. It appears that Union is not interested to pursue with the present reference despite several dates for filling of the affidavit. In view of the same, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned to record.

Announced
11-5-2005

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2360.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जवाहर लाल नेहरू पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में विवाचक श्री राजाभाऊ गवाण्डे, थाने, के पंचाट(संदर्भ संख्या 1/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-06-2005 को प्राप्त हुआ था।

[सं. एल-31011/25/2003-आईआर(बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 7th June, 2005

S.O. 2360.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1/2004) of Sh. Rajabhau Gawande, Arbitrator, Thane as shown in the Annexure, in the industrial dispute between the employers in relation to management of Jawahar Lal Nehru Port Trust and their workmen, which was received by the Central Government on 06-06-2005.

[No. L-31011/25/2003-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

**BEFORE SHRI RAJABHAU GAWANDE,
ARBITRATOR, THANE**

Reference (VA) No. 1 of 2004

Between :

Shri R. Ravikumar
Chief Manager (Admn.)
& Secy., Jawaharlal Nehru
Port Trust Sheva,
Navi Mumbai.

..... Party No. 1

AND

Representatives of Party II

- (1) Shri Bhushan Patil,
General Secretary,
Nhava Sheva Bunder
Kamgar Sanghatana (A)
64. Shopping Centre,
1st Floor, JNPT,
Township, Uran-400 707.
- (2) Shri Shrikant Patil,
Secretary,
Nhava Sheva Port & General
Workers' Union,
Port Trust Kamgar Sadan,
Nawab Tank Road, Mazgaon,
Mumbai-400 010.
- (3) Shri G.U. Kolhe,
Joint Secretary,
Transport & Dock Workers' Union,
P.D, Mello Bhavan, P. D'Mello Road,
Camac Bunder, Mumbai 400 038.Party No. II

Appearances :

S/Shri R. Ravikumar, CM(A) & Secretary, D.S. Garde, M(CT), S.M. Shetty, M(ES)—Representatives of the Company.

S/Shri Bhushan Patil, General Secretary, Ganesh Gharat, President, Prashant Bhagat, Treasurer—representatives of Nhava Sheva Bunder Kamgar Sanghatana (A).

S/Shri Jaiprakash Sawant, Vice President, Shrikant Patil, Secretary, J.A. Panda, Executive Committee Member—representatives of Nhava Sheva Port & General Workers' Union.

S/Shri Y.S. Rane, Joint Secretary, G.U. Kolhe, Joint Secretary, D.V. Pangavhane, Executive Member—representatives of Transport & Dock Workers' Union.

AWARD

This is a voluntary Reference under Section 10A of the Industrial Disputes Act, 1947, hereinafter referred to "as the Act" of a dispute between the parties mentioned above. It appears that there was a Memorandum of Settlement dated 24th August, 2000 arrived at before the Regional Labour Commissioner (Central), Mumbai, under Section 12(3) of the Act over incentive scheme in JNPT between the parties mentioned above.

2. Parties to the dispute have been unable to reach a Settlement on the quantum of the multiplying factors contained in Annexures I, II and III of the Settlement referred to above. Copies of the same are to be found at the end of the Award marked as Appendix and it is to be treated as the part of the Award. However, they agreed to refer this issue to my arbitration and accordingly they entered into an agreement. The agreement was forwarded to the appropriate authority and the Government of India/Bharat Sarkar, Ministry of Labour/Shrama Mantralaya by an order No. F. No. L-31011/25/2003-IR(B-II) dated 17th March, 2004, in exercise of the powers conferred by sub-section (3A) of Section 10A of the Act referred the said dispute to my arbitration. The said agreement was published in the Gazette of India dated May 9—15, 2004 in Part II, Section 3, Sub-section (ii) at page 2327. This is how the Arbitrator is seized of the matter. Nature of the dispute can be gathered from the Schedule appearing in the said Gazette. Text of the said Schedule is reproduced below:—

SCHEDULE

"Whether multiplication factors indicated in Ann. I, II and III of the settlement dated 24-08-2000 between the management of Jawaharlal Nehru Port Trust and (i) Nhava Sheva Port and General Workers' Union, (ii) Nhava Sheva Bunder Kamgar Sanghatana (A) and (iii) Transport and Dock Workers' Union regarding incentive scheme are fair and reasonable? If not, what should be the multiplication factors?"

3. Parties were served with necessary notices. The Nhava Sheva Bunder Sanghatana (A), hereinafter

referred to as "The Sanghatana", has filed its Statement of Claim at Exhibit U-4. It contends that the Settlement in question was the first Settlement and prior to the same, there was no official scheme of incentive for Class III and IV category of employees. It adds that while deciding the multiplying factors, no scientific method was adopted and the RTGC Operator was considered as a prime category, for which multiplying factor was fixed as Annexure I and in that proportion the multiplying factor was fixed for other categories. According to it, the multiplying factor is very high for certain categories and very low for other categories. It submits that there should be variation in the multiplying factor for different categories and the same should be reasonably and scientifically fixed according to the importance of the work and the sharing in productivity. It further submits that in the Port operation, the work of almost all categories of employees is co-related and interdependent on each other. Whenever the Cleaning Operator discharges the container from vessel, it is loaded on the tractor trailer, which is being transported by Heavy Duty Driver upto the Container Yard for stacking which is discharged by RTGC Operator or ICD to move it at its destination, which is discharged by RMGC Operator.

On all the cranes, i.e. RMQC, RTGC, RMGC, Checkers, Technicians, Assistant Technicians are deployed for giving proper signals and information. Thus the operation work of all categories of employees is interdependent. It further submits that the employees of the Port Trust are divided amongst different Unions on the basis of categories. The amount of incentive unreasonably varies from one category to another. Its grievance is that certain categories of employees are getting unreasonably more amount as compared to other categories. Referring to Clause No. 6 in the Settlement, it complains that this clause was not strictly implemented. Consequently, only certain employees of certain categories are getting maximum benefit from the existing incentive scheme. It is also complained that by keeping multiplying factor at low level, the Management is not utilising the budget amount fixed for incentive scheme. According to it, since all the employees of Jawaharlal Nehru Port Trust, for short referred to as JNPT and also as the Company, are directly or indirectly contributing to the productivity, new scheme should not be signed without applying it to all the categories of the employees. Lastly, it is prayed that in order to give justice to all categories of employees in the Operations Department, the multiplying factor should be fairly and reasonably increased in case of all categories especially lower categories like Technicians, Assistant Technicians, Checkers and Heavy Duty Drivers working at different places as stated in Appendix I to the Statement of Claim. It also submits that incentive scheme should be applied to all 1581 employees of Class III and IV categories and adds that the revised multiplying factor should be

made applicable retrospectively i.e. from 24th August 2000. Appendix I reads as follows :

APPENDIX-I

Demand for Revision in Multiplying Factor for Incentive Scheme

Category	Multiplying Factor	
	Existing	Demand
Jr. Engineer (Opm.) RMQC	1	1.35
Jr. Engineer (Opm.) RTGC	1	1.0
Technician	0.5	0.8
Checker	0.5	0.8
Driver	0.5	0.8
Asstt. Technician	0.5	0.8
Jr. Engineer (Maint.)	0.5	0.8
Technician (Maint.)	0.5	0.8
H.D.D./Checker/Asstt. Tech. (Maint.)	0.4	0.8

ICD Operation@ 100% Level

Category	Multiplying Factor	
	Existing	Demand
Jr. Engineer (Opm.)	0.7	1.0
Technician	0.5	0.8
Checker	0.5	0.8
Driver	0.5	0.8
Asstt. Technician	0.5	0.8

ICD Operation@ 90% Level

Category	Multiplying Factor	
	Existing	Demand
Jr. Engineer (Opm.)	0.5	0.9
Technician	0.4	0.7
Checker	0.4	0.7
Driver	0.4	0.7
Asstt. Technician	0.4	0.7

ICD Operation@ 80% Level

Category	Multiplying Factor	
	Existing	Demand
Jr. Engineer (Opm.)	0.5	0.8
Technician	0.3	0.6
Checker	0.3	0.6
Driver	0.3	0.6
Asstt. Technician	0.3	0.6

ICD Operation @ 70% Level

Category	Multiplying Factor	
	Existing	Demand
Jr. Engineer (Opm.)	0.4	0.7
Technician	0.2	0.5
Checker	0.2	0.5
Driver	0.2	0.5
Asstt. Technician	0.2	0.5

4. Nhava Sheva Port and General Workers' Union, hereinafter referred to as Workers Union, has filed its Statement of Claim at Exhibit UA 3. It has annexed proposed Annexures, I, II and III to the Statement of Claim and it submits that the multiplying factors may be revised as per the same. Claim of the Workers Union is based upon the nature of work involved in the Port operations and also on the duties and responsibilities of the workmen employed for performance of the Port authorities. It adds that the claim is based upon the risk factors involved in the operational work and in handling necessary equipments and also on the skill and knowledge involved in the operation and maintenance work. It submits that the occupational hazards of the workmen need to be taken into consideration. The Workers Union further submits to take into consideration the amount of contribution of the workmen in Port productivity and the revenue and the profits earned by the JNPT on account of the said productivity. It submits that an award be made after taking into consideration the multiplication factors indicated in the annexures to the Statement of Claim and the consequential benefits should also be given to the employees accordingly. Annexures I, II and III read as follows :

PROPOSED ANNEXURE-I

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Union
1	2	3
Jr. Engineer (Opm.) RMCQ	1	1.5
Jr. Engineer (Op.) RTGC	1	1
Technician (Op)	0.5	0.8
Drivers/A. Ts./Checker (Op)	0.5	0.8
Jr. Engineer (Maint.)	0.5	0.8
Technician (Maint.)	0.4	0.7
Drivers/A. Ts./Checkers (Maint.)	0.4	0.7
Other Category (ICD & CFS)		

1	2	3
At a level of 100% performance		
Jr. Engr. (Op.)	0.7	0.8
Tech. (Op.)	0.5	0.6
Drivers/A. Ts./Checkers (Op.)	0.5	0.6
At a level of 90% performance		
Jr. Engr. (Op.)	0.5	0.7
Tech (Op.)	0.4	0.5
Drivers/A. Ts./Checkers (Op.)	0.4	0.5
At a level of 80% performance		
Jr. Engr. (Op.)	0.5	0.6
Tech. (Op.)	0.3	0.4
Drivers/A. Ts./Checkers (Op.)	0.3	0.4
At a level of 70% performance		
Jr. Engr. (Op.)	0.4	0.5
Tech (Op.)	0.2	0.3
Drivers/A. Ts./Checkers (Op.)	0.2	0.3

PROPOSED ANNEXURE-II

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Unions
Jr. Engineer (R/O)	1	1.5
Jr. Engineer (RM)	0.75	1
Tech. & AT (R/O)	0.5	0.6
Tech./AT (M)	0.5	0.6
BTCC/Shipping Maintenance/ Sub Stores		
Jr. Engr.	0.5	0.6
Tech/AT	0.4	0.5
HDD	0.3	0.4
Checkers	0.3	0.4
Mechanical Bagging Oprns. at performance level of 100%		
Jr. Engr. (S/O)	0.4	0.5
Tech. & AT (S/O)	0.5	0.6
Mechanical Bagging Oprns. at Performance level of 90%		
Jr. Engr. (S/O)	0.3	0.4
Tech. & AT (S/O)	0.4	0.5
Mechanical Bagging Oprns. At Performance level of 80%		
Jr. Engr. (S/O)	0.2	0.3
Tech. & AT (S/O)	0.3	0.4
Mechanical Bagging Oprns. At Performance level of 70%		
Jr. Engr. (S/O)	0.2	0.3
Tech. & AT (S/O)	0.25	0.4

PROPOSED ANNEXURE-III

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Unions
Engg. Services & Marine Dept.		
Jr. Engr. Supervisor (P.C. & Signal Stn.)	0.25	0.5
Tech./Signal Supdt./Station Officer	0.2	0.4
Drivers/A.T.s/Sub. Officers/Checkers/Sr. Signal Man/Jr. Signal Man/DCPO/Fireman	0.2	0.4
Indoor Staff & PPD Deptt.		
O.S./Surveyor/Matron/Draughtsman Gr. I.J.E. (Civil)	0.125	0.25
Steno Gr. I/Sr. Asstt./Audit Asstt./Computer Operator/Hindi Translator/Sister-in-charge Radiographer/A.T. (Civil)	0.112	0.2
Steno Gr. II/Jrt. Asstt./Staff Nurse/Lab. Technician/Pharmacist/Telex Optr. Staff Car Driver/Hindi Typist/Theatre Asstt.	0.1	0.2
Peon/Jamadar/Jamadar Gr. I/Mazdoor/Zerox Operator/Hospital Attendant	0.087	0.15

5. The Transport and Dock Workers' Union, hereinafter referred to as the Dock Workers Union, has filed its Statement of Claim at Exhibit UB-3. It has annexed in all three annexures captioned as proposed Annexures I, II and III to the Statement of Claim and it submits that the award be made as indicated by the three annexures. It submits that this claim is based upon the nature of the work, the duties and responsibilities shouldered by the workmen, the risk factors involved in the operational work in handling equipments and also on the skill and knowledge involved in the operation and maintenance of work as also upon the occupational hazards the workmen are required to face. It also urges the Arbitrator to take into consideration the contribution of the workmen in the Port productivity and the revenue and profits earned by the JNPT. It prays that an award be made after taking into consideration the multiplication factors indicated in the annexures and effect of the same be given retrospectively. The text of the proposed annexure reads as follows :—

PROPOSED ANNEXURE-I

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Unions
1	2	3
Jr. Engineer (Op.) RMQC	1	1.5
Jr. Engineer (Op.) RTGC	1	1

1	2	3
Tech. (Op.)/Checkers/Drivers/A.T.s.—RMQC	0.5	0.7
Tech. (Op.)/Checkers/Drivers/A.T.s./RTGC	0.5	0.6
Jr. Engineer (Maint.)	0.5	0.8
Tech. (Mant.)	0.4	0.7
Drivers/A.T.s/Checkers (Maint.)	0.4	0.7
Other Category (ICD & CFS)		
At a level of 100% performance		
Jr. Engr. (Op.)	0.7	0.8
Tech (Op.)	0.5	0.6
Drivers/A.Ts/Checkers (Op.)	0.5	0.6
At a level of 90% performance		
Jr. Engr. (Op.)	0.5	0.7
Tech (Op.)	0.4	0.55
Drivers/A.Ts/Checkers (Op.)	0.4	0.55
At a level of 80% performance		
Jr. Engr. (Op.)	0.5	0.6
Tech (Op.)	0.3	0.4
Drivers/A.Ts/Checkers (Op.)	0.3	0.4
At a level of 70% performance		
Jr. Engr. (Op.)	0.4	0.5
Tech (Op.)	0.2	0.3
Drivers/A.Ts/Checkers (Op.)	0.2	0.3

PROPOSED ANNEXURE - II

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Union
1	2	3
Jr. Engineer (R/O)	1	1.5
Jr. Engineer (RM)	0.75	1
Tech & AT (R/O)	0.5	0.6
Tech./A.T. (M)	0.5	0.6
BTCC/Shipping Maintenance/Sub Stores/Auxiliary facilities, etc.		
Jr. Engineer	0.5	0.6
Tech/AT	0.4	0.5
HDD	0.3	0.4
Checkers	0.3	0.4
Mechanical Bagging Opns.		
At Performance Level of 100%		
Jr. Engr. (S/O)	0.4	0.5
Tech. & AT (S/O)	0.5	0.6
Mechanical Bagging Opns.		

1	2	3
At Performance level of 90%		
Jr. engr. (S/O)	0.3	0.4
Tech. & AT (S/O)	0.4	0.5
Mechanical Bagging Opns.		
At Performance level of 80%		
Jr. Engr. (S/O)	0.2	0.3
Tech. & AT (S/O)	0.3	0.4
Mechanical Bagging Opns.		
At Performance level of 70%		
Jr. Engr. (S/O)	0.2	0.3
Tech. & AT (S/O)	0.25	0.4

PROPOSED APPENDIX-III

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Union
Engg. Services & Marine Dept.		
Jr. Engr. Supervisor (P.C. & Signal Stn.)	0.25	0.5
Tech./Signal Supdt./Station Officer	0.2	0.4
Drivers/A.T.s/Sub. Officers/Checkers/Sr. Signal Man/ Jr. Signal Man/DCPO/Fireman	0.2	0.4
Indoor Staff & PPD Deptt.		
O.S./Surveyor/Matron/Draughtsman Gr. I.J.E. (Civil)	0.125	0.25
Steno Gr. I/Sr. Asstt./Audit Asstt./Computer Operator/Hindi Translator/Sister-in-charge Radiographer/A.T. (Civil)	0.112	0.25
Steno Gr. II/Jrt. Asstt. Staff Nurse/Lab. Technician/Pharmacist/Telex Optr. Staff Car Driver/Hindi Typist/Theatre Asstt.	0.1	0.2
Peon/Jamadar/Jamadar Gr. I/Mazdoor/Zerox Operator/Hospital Attendant	0.087	0.17

6. The Management of JNPT, hereinafter referred to as the Company has filed its Written Statement to these Statement of Claims at Exhibit C-2. It submits that the total number of workmen employed under the undertaking is 1581 and 609 employees are eligible for the incentive payment under the settlement dated 24th August, 2000. It submits that Annexure I of the Settlement dated 24th August, 2000 relates to the Container Terminal, Annexure II relates to the Bulk Terminal and Annexure III relates to other administrative staff. Annexures II and III could not be implemented. In respect of Bulk Terminal, because of

the dwindling bulk traffic, it was not possible to achieve the minimum throughput level mentioned in Annexure II. Therefore, a decision was taken to convert the Bulk Terminal into a Container Terminal on BOT basis. Bulk Terminal, as it was originally envisaged, no longer exists and all the main structures have been demolished. In respect of Annexure III, the matter was to be referred to Indian Port Association for concurrence before it could be implemented. The concurrence of Indian Port Association was not received. Therefore, Annexure III could not be implemented. According to it, the issue to be decided by the Arbitrator is the quantum of multiplication factors, as contained in Annexure I only. It adds that this is clear from Para 2 of the terms of reference, which states that the total number of workmen employed in the undertaking is 1581 and 609 are eligible for the incentive payment under the Settlement. (THIS POSITION IS LATER ON ADMITTED BY THE UNIONS WHILE MAKING SUBMISSIONS BEFORE ME). According to it, the existing incentive scheme is very liberal. Moreover, the datum fixed are very low. In the neighbouring NSICT terminal, no incentive payment is paid if the productivity was below 23 moves per hour whereas in JNPT it is 12 moves per hour. In JNPT 1 : 1 reliever is provided both for RMQC and connected RTGC working. In other words, the Junior Engineering in fact effectively works for 4 hours instead of the usual 8 hours and gets his full wages. Similarly, 2 : 1 reliever pattern is provided in all other categories working for various operations in Container Terminal, which means that on an average each worker is effectively working only for five and half hours instead of 8 hours duty. Over and above, he gets the incentive payment for productivity above data. The productivity levels so far achieved in JNPT are well below the international norms. It further submits that there has been constant criticism that the productivity levels of JNPT are low and pre-berthing detention and turnaround time of the ships is very high. It submits that the existing multiplication factors are already on the higher side and more than commensurate with the actual skills, level of productivity, nature of work, time spent and the qualification of the workers involved. It criticises that what has been proposed by the the Unions is irrational and without any basis, that the Unions have not given any scientific reasoning as to why the multiplication factors stated by them should be accepted. In fact, the multiplication factors as claimed by them in some cases are more than the multiplication factors they had actually demanded during the discussion with the management while finalising the Settlement. It adds that the incentive amounts paid under the existing scheme have been substantial and it was of the order of Rs. 1.62 crores during 2002-03 and on an average about Rs. 13.5 lakhs per month and Rs. 1.87 crores during 2003-04 and on an average about Rs. 15.6 lakhs per month. In addition to the incentive payment, the workers also get substantial overtime payment. It prays that the Arbitrator may be

pleased to pass an award to the effect that the multiplication factors indicated in Annexures I, II and III of the Settlement dated 24th August 2000 are fair and reasonable and there is no need to make any modification. Company has given calculation of Multiplying Factors worked out on the basis of merits of different criteria for different categories of employees in Annexure I of its Written Statement Exhibit C-2. Copy of the same is to be found at the end of the Award marked as Appendix II and it is to be treated as part of this Award.

7. All the three Unions, namely, Sanghatana, Workers Union and the Dock Workers Union at a later stage have filed a joint rejoinder at Exhibit U, UA, UB-1. Along with this rejoinder, they have placed on record proposed Annexure A, proposed Annexure B and proposed Annexure C and they submit that what is indicated by these annexures is fully legal and justified. These proposed annexures are based upon the nature of work involved in the Port Operations and upon the duties and responsibilities shouldered by the workmen employed for performance of Port Operations. The skill as also the risk factors are taken into consideration. The occupational hazards the workmen are required to face are also taken into consideration. Similarly, the amount of contribution of the workmen in Port productivity and to the revenue and profits earned by JNPT are also taken into consideration. The claim is justified because of the contribution of the workers in the JNPT has been accredited with ISO 9002 certification. It ranks among top 30 container ports in the world. It handles about 55-60% of the total containerised cargo of the country. It ensures the fastest turn-around amongst all Indian Ports and it has grown exponentially to reach Super Port status and its financial performance has always remained remarkable. It has referred to the revenue earned by JNPT. It urged that the proposals indicated by the three annexures, namely, A, B and C annexed to the rejoinder be taken into consideration and appropriate award be made in the light of the same. The same are as under :—

PROPOSED APPENDIX-A

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Union
1	2	3
Jr. Engr. (OP)-RMQC	1	1.5
Jr. Engr. (OP)-RMQC	1	1
Tech (Op)	0.5	0.8
Drivers/A. Ts/Checkers (Op)	0.5	0.8
Jr. Engr. (Mant.)	0.5	0.8
Tech (Mant)	0.4	0.7
Drivers/A. Ts/Checkers (Mant)		
Other Category (ICD & CFS)	0.4	0.7

1	2	3
At a Level of 100% Performance		
Jr. Engr. (Op)	0.7	0.8
Tech (Op)	0.5	0.6
Drivers/A. Ts/Checkers (Op)	0.5	0.6
At a Level of 90% Performance		
Jr. Engr. (Op)	0.5	0.7
Tech (Op)	0.4	0.5
Drivers/A. Ts/Checkers (Op)	0.4	0.5
At a Level of 80% Performance		
Jr. Engr. (Op)	0.5	0.6
Tech (Op)	0.3	0.4
Drivers/A. Ts/Checkers (Op)	0.3	0.4
At a Level of 70% Performance		
Jr. Engr. (Op)	0.4	0.5
Tech (Op)	0.2	0.3
Drivers/A. Ts/Checkers (Op)	0.2	0.3

PROPOSED APPENDIX-B

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Union
Jr. Engr. (R/O)	1	1.5
Jr. Engr. (RM)	0.75	1
Tech & AT (M)	0.5	0.6
Tech/A.T. (M)	0.5	0.6
BTCC/Shipping Maintenance/ Sub Stores		
Jr. Engr.	0.5	0.6
Tech/AT	0.4	0.5
HDD	0.3	0.4
Checkers	0.3	0.4
Mechanical Bagging Opms. At Performance level of 100%		
Jr. Engr. (S/O)	0.4	0.5
Tech. & AT (S/O)	0.5	0.6
Mechanical Bagging Opms. AT performance level of 90%		
Jr. Engr. (S/O)	0.3	0.4
Tech. & AT (S/O)	0.4	0.5
Mechanical Bagging Opms. AT performance level of 90%		
Jr. Engr. (S/O)	0.2	0.3
Tech. & AT (S/O)	0.3	0.4
Mechanical Bagging Opms. AT performance level of 90%		
Jr. Engr. (S/O)	0.2	0.3
Tech. & AT (S/O)	0.25	0.4

PROPOSED APPENDIX-C

Category	Multiplying Factor in the Settlement	Multiplying Factor as claimed by the Union
Engg. Services & Marine Dept.		
Jr. Engr./Supervisor (P.C. & Signal Stn.)	0.25	0.5
Tech/Signal Supdt./Station Officer	0.2	0.4
Drivers/A. Ts./Sub. Officers/Checkers Sr. Signal Man/Jr. Signal Man/DCPO/Fireman	0.2	0.4
Indoor Staff & PPD Deptt.		
O.S./Surveyor/Matron/Draughtsman Gr. I.J.E. (Civil)	0.125	0.25
Steno Gr. I/SR. Asstt./Audit Asst./Computer Operator/Hindi Translator/Sister-in-charge Radiographer/A.T. (Civil)	0.112	0.2
Steno Gr. II/Jr. Asstt./Staff Nurse/Lab. Technician/Pharmacist/Telex Optr. Staff Car Driver/Hindi Typist/Theatre Asst.	0.1	0.2
Peon/Jamadar/Jamadar Gr. I/Mazdoor/Zerox Operator/Hospital attendant	0.087	0.15

8. The disputants requested the Arbitrator to make site inspection for the proper appreciation of the situation obtaining at the site and also for appreciating real nature of the issue involved in the matter. Accordingly, site inspection was made on 28th September 2004. However, site inspection could not be fully done on that day. It was only partly done. The further site inspection took place on 10th October 2004. The Company (Management) has placed on record Exhibit C-7. It is accompanied by a note submitted by the Company (Management) urging the Arbitrator to take the same into consideration while making the site inspection. The Unions have placed on record their note which accompanies Exhibit U, UA, UB-5 urging the Arbitrator to take the same into consideration. During the course of inspection, I had occasion to hear Shri Pradeed Kumar, the Deputy Manager (Container Terminal and Operations) and also S/Shri Prashant Bhagat, G. U. Kolhe and Shri Sharad Khadke. There were few more workmen but I have named only these who were prominent amongst them. I had occasion to visit (i) Rail Mounted Gantry Crane (RMGC), (ii) Rubber Tyred Gantry Crane (RTGC) (Yard), (iii) Rail Mounted Quarry Crane (RMQC), (iv) Planning Section POC and (v) VTMS Marine Control Room, I had occasion to prepare my site inspection note which is to be found at Exhibit O-4. It speaks for itself.

9. It is felt necessary to refer to certain documents before referring to the oral evidence on record. Admittedly, the Settlement Exhibit C-18 between the parties took place on 24th August 2000. In particular, I refer to paragraph III of the Settlement which reads thus : "If any doubt arises on the interpretation of the above clauses/provisions of the incentive scheme, the matter will be discussed bilaterally for resolution. If no resolution emerges, the matter will be referred to an Arbitrator under Section 10A of the Industrial Disputes Act, 1947", (Emphasis supplied). Further, I refer to paragraph IV of the Settlement which reads thus : "Since the parties have been unable to reach a settlement on the quantum of the multiplying factor contained in Annexure I, II and III, it was agreed to refer this issue to arbitration by a mutually acceptable person under the provisions of the Industrial Disputes Act. This, however, will not hold up implementation of the Settlement in its existing form". Precisely speaking, it is by virtue of this provision that I am seized of the matter. Next I refer to paragraph VI of the Settlement which reads thus : "The settlement will be reviewed after a period of two years".

10. Further, it is felt necessary to refer to certain terms which are in the nature of abbreviations. These are RMQC which means Rail Mounted Quay Crane; RTGC which means Rubber Tyred Gantry Crane; RMGC which means Rail Mounted Gantry Crane; CFS operation which refers to either the lifting of containers from the yard and giving delivery of these containers through the tractor trailers deployed by the container freight station or off loading of containers brought from the CFSs in the JNPT yard through the port equipments. ICD operation refer to off loading of containers (By RMGC) from the rakes deployed by the Container Corporation of India, placing it on the tractor trailer and shifting it to the designated yard/vessel or vice versa. It is also necessary to understand what is meant by CFS operation at a level of 100% performance. It means when 91% and above import containers are delivered within 24 hours time (from the time of issue of job order) it is considered as 100% performance in incentive calculation. Lastly, we are concerned with the term M.F. which means Multiplication Factor. A somewhat brief explanation is needed to understand the import of this term. The major contribution for the Port productivity (from the employees cadre) is from the crane operators in RMQC. Their contribution is considered as unity or 100% and the contribution of other categories have been proportionately derived as percentage of this RMQC operators contribution. This factor derived for the individual categories is referred to as Multiplication Factor for calculation of incentive. This can be further explained by taking an illustration, e.g. when the incentive payable to Operator (Junior Engineer) of RMQC at a particular level of productivity is Rs. 5,000, then the categories of employees with 0.7 M.F. will get Rs. 5000 x 0.7 = Rs. 3500 and so on.

11. Let me now refer to the evidence on record. On behalf of the Union as many as four witnesses have led

their evidence. Let me begin with Witness Shri Santram Nagnath Khavase. His evidence is to be found at Exhibit UB-6. He has placed on record his affidavit at Exhibit UB-5 which is treated as his evidence in chief. He has been cross-examined by the Company. He states that his monthly gross salary is Rs. 12500 excluding HRA. In addition, he gets overtime and also the incentive. He is in agreement with the suggestion put to him that the total amount of O.T. (overtime) and incentive comes to 50% of his gross salary. He is a Junior Engineer. He admits that the reliever is provided and the ratio is 1 : 1. He adds that the duty hours are four hours both for the operator and reliever. However, in practice the operator may work for two hours and then the work is handed over to the reliever who in turn works for two hours and so on and so forth. The two hours which he thus gets free, he spends the same in having rest, in eating his food and attending to toilet etc. He admits that he is in agreement with the suggestion that in all he does four hours active job.

12. The next witness is Shri Jaikrishna Anand Panda. His evidence is to be found at Exhibit UA-5. He has placed on record his affidavit at Exhibit UA-4 and the same is treated as his evidence in chief. He has been cross-examined at length by the Company. It appears from the responses made by him during the course of cross-examination that he was promoted as a Junior Engineer in the year 1996 and that for about ten years he has worked in Container Terminal (Maintenance). At present his job is to operate Container Handling Cranes namely RMQC, RTGC and RMGC as per the duty allocation. Gross salary of a Crane Operator is in the neighbourhood of Rs. 20,000 including incentive and overtime. On an average, the incentive amount which he gets is in the neighbourhood of Rs. 3000 to Rs. 4000 per month. The amount of overtime he earns per month is in the neighbourhood of Rs. 4000 to Rs. 5000. According to him, the substantial contribution to productivity is by Junior Engineer. He admits that the operational part of the job is four hours per operator and after the operational work he does some personal work. He takes tea and has his lunch and does work assigned to him by the Shift Incharge. He states that he spends some time in assisting the loading and unloading work. However, quick in succession he states that it is only when he is called upon to assist the loading and unloading work, his services are rendered in that context. He admits that otherwise he keeps himself idle. While concluding his evidence, he states that he is unable to state whether the work done by Crane Operator in NSICT is comparable with the work of Crane Operators in JNPT.

13. Then the next witness is Shri Prashant Ramkrishna Bhagat. His evidence is at Exhibit U-6. He too has placed on record his affidavit Exhibit U-5 which has been treated as his evidence in chief. In his evidence in cross, he states that he has worked as a Crane Operator

for about three years. he did not get any chance to operate RMQCs. He adds that prior to introduction of the incentive scheme, the take home salary of a Junior Engineer was Rs. 8000 (Gross) per month. After the implementation of the scheme, the take home salary is Rs. 10000 (gross) per month. His Union represents only in JNPT and it has nothing to do with NSICT.

14. The last witness is Shri Jeevan Kamlakar Kadu. His evidence is at Exhibit UB-9. He too has placed on record his affidavit at Exhibit UB-8 and the same has been treated as his evidence in chief. From the responses made by him during the course of his cross-examination, it becomes clear that he had joined JNPT in the year 1989 as an Assistant Technician. Currently he is working as a Technician. In the year 2003, he has been transferred to the Container Terminal where he is working in the Maintenance Section. It is clear from his evidence that there are as many as 18 cranes operating at JNPT. He does not state anything substantial with a view to putting forth the case of the Union. This is the nature of evidence led on behalf of the Unions.

15. On behalf of the Company, two witnesses have given evidence. The first witness is Shri M. Sumitra Rao. He was working in the capacity of Senior Manager (Container Terminal) in the establishment of JNPT. His evidence is to be found at Exhibit C-11. He has placed on record his affidavit at Exhibit C-10. The same has been treated as his evidence in chief. He has been cross-examined at some length.

16. What is more important in the context of his evidence is what he has stated in his affidavit. There, we get the detailed justification of Multiplication Factors. It is to be found in paragraphs A, B, C and D of the affidavit. At this very stage, let me refer to Exhibit C-9 where we get justification of Multiplication Factors. When we compare the text of Exhibit C-9 to be found in particular at paragraphs A, B, C and D with what has been stated in Exhibit C-10 in the affidavit of Shri Rao, one has reason to observe that what is stated in both Exhibit C-9 and Exhibit C-10 is virtually the same and identical. As observed earlier, some discussion regarding paragraphs A, B, C and D is necessary as these hinge on the Multiplication Factors.

17. In paragraph A, there has been a reference to (i) Jr. Engr. (Op) RMQC (M.F. 1.0); (ii) Jr. Engr. (Op) RTGC (M.F. 1.0); (iii) Tech./Checker (Op)-RMQC (M.F. 0.6); (iv) Tech./Checker (Op)-RTGC (M.F. 0.6); (v) Asstt. Tech.-RMQC (M.F. 0.6) and (vi) Drivers (Op) (M.F. 0.6). In paragraph B, there has been a reference to (i) Jr. Engr. (Maint.) (M.F. 0.5); (ii) Technician (Maint.) (M.F. 0.4); (iii) Asstt. Technician (Maint.) (M.F. 0.4) and (iv) Driver (Maint.) (M.F. 0.4). In paragraph C, there has been a reference to (i) Jr. Eng. (Op)-RMGC/RTGC (M.F. 0.7); (ii) Technician/Checker (Op)-RMGC/RTGC (M.F. 0.5); (iii) Asstt. Technician-RMGC (M.F. 0.5) and (iv) Driver (Op)-RMGC (M.F. 0.5). Lastly in paragraph D, there has been a reference to (i) Jr. Engineer (M.F. 0.7) and (ii) Technician/Checker (M.F. 0.5).

18. These headings are important because those mentioned above constitute what is called as a team and it is this team that does the work in question. It may be noted here only that the Company has given out the nature of work required to be done by the individual categories constituting the team. It is also mentioned as to whether the work is heavy and requires skill. It is also mentioned as to whether the nature of work is continuous or otherwise. In short, I may state that all the required details projecting on record the nature of work etc. to be carried out by the individual categories of workmen is found in paragraphs A, B, C and D. What exactly is the worth of the same will be considered at the appropriate place. Incidentally, I may observe that although possible, no Union has placed any rejoinder to the details to be found in paragraphs A, B, C and D.

19. The next witness examined by the Company is Shri Anand Krishnrao Hambarde. His evidence is to be found at Exhibit C-15. He has placed on record his affidavit at Exhibit C-14 and the same has been treated as his evidence in chief. He too has been cross-examined at some length by the Unions. It appears that the witness joined JNPT in 1990 as an Assistant Manager (Operations). He is a Graduate in Engineering. According to him, a good deal of concentration is required for operating the cranes. He adds that other categories also need to have concentration but the degree is not the same which the Operator is required to have in the context of concentration. He admits that while JNPT is a Government concern, NSICT is a private one. He makes it clear that he is comparing with NSICT because it is a neighbouring terminal and working with the same environment. However, he adds that he cannot state if the working conditions in JNPT Terminal and the NSICT Terminal are identical because he is not aware of the working conditions obtaining in NSICT. He concludes his evidence by saying that he does not know the quality and standard of NSICT equipments and hence he is unable to answer the question: whether the quality and standard of NSICT equipments and JNPT equipments are not the same? I shall have occasion to refer to some relevant responses made by him at a later stage while discussing the evidence at large on record. This is the nature of the oral evidence adduced by the Company.

20. Both Shri Sumitra Rao and Shri Anand Krishnrao Hambarde have been cross-examined by the Unions and I shall have occasion to refer to some relevant responses made by them at a later stage while discussing the evidence at large on record.

21. Issue for consideration is whether the multiplication factors indicated in Annexures I, II and III of the Settlement Exhibit C-18 are fair and reasonable. The later part of the issue is : if not, what should be the multiplication factors?

22. It is the contention of the Unions that the multiplication factors are neither fair nor reasonable. Let

me first refer to their pleadings. The Sanghtana which figures as Union No. 1 in its Statement of Claim Exhibit U-4 has mainly pleaded three points. According to it, the amount of incentive unreasonably varies from one category to another, clause 6.0 which refers to the staff being subject to periodic transfer was not strictly implemented and, lastly, the revised scheme should be made applicable to all 1581 employees. The Workers' Union which figures as Union No. 2 in its Statement of Claim Exhibit UA-3 has mainly pleaded that the claim should be revised in the context of multiplication factors and consideration for this revision should be the risk factor and also the skill and knowledge factors involved in the operation of the work. It is also urged that the contribution of the workmen made in port productivity should also be taken into consideration. The Dock Workers' Union which figures as Union No. 3 in its Statement of Claim Exhibit UB-3 has raised two points. It is pleaded that the multiplying factors are required to be revised in the interest of port productivity and in order to ensure fairness to the workman as a share of return on gains of productivity. It invites my attention to the fact that the workmen have increased productivity during the currency of the Settlement.

23. It may be added here that all the three Unions later on placed a joint rejoinder to the Written Statement filed by the Company at Exhibits U, UA, UB-1. It proposed multiplication factors are to be found in Annexures A, B and C. It is now the contention of all the Union vide this joint rejoinder that these proposals are based upon the nature of work, the duties and responsibilities shouldered by workmen, the skill as also the risk factor, the occupational hazards the workmen are required to face should also be taken into consideration. In particular, more stress has been given to the fact that JNPT has been accredited with ISO 9002 Certification and that it ranks in top 30 Container Ports in the world and it handles about 55-60% of the containers cargo of the country. It is urged by the Unions that these factors be considered and the multiplication factor be revised.

24. A careful reading of these pleadings will instantly show that nothing specifically has been stated how the existing multiplying factors are neither fair nor reasonable.

25. I do not wish to reproduce the relevant and important pleadings to be found in the Written Statement Exhibit C-2 filed by the Company as at an earlier stage I have made a mention thereof. Suffice it to say that Company has justifiably placed reliance on the justification of the multiplication factors given in the existing incentive scheme (Exhibit C-9).

26. On behalf of the Unions representing the workmen, it is chiefly argued that the claim put forth by them is based upon the duties and responsibilities those are being shouldered by the workmen and also upon the

skill factor and the risk factor. Then there are the occupational hazards too. Further it is argued that the Company has earned a very good revenue and the workmen are entitled to upward revision of the multiplication factors as their share in the gain. They conclude their submissions by saying that the claim put forth by them is based on the actual experience and practical approach. They urge me to make an upward revision in the multiplication factors.

27. On the other hand, it is argued on behalf of the Company that the Unions have failed to furnish any convincing material justifying the upward revision of the multiplication factors. In the form of justification, however, Company has shown how the existing multiplication factors are both fair and reasonable. According to the Company, there are other reasons also for improvement in productivity like reviewing the operational procedures from time to time, induction of new equipments and hiring of more than 100 tractor trailers for augmenting the capacity of the terminal. It submits that the multiplication factors are justified on the basis of actual nature of work, hardship involved and educational qualification, skills, effect on port productivity. In particular, my attention is invited to the evidence of Shri Hambarde who states that the requirement of engaging external agencies for deriving the multiplication factors was not necessitated as JNPT is the leading container port in India and the officers involved in preparation of the scheme were working in the subject filed for sufficient time and they have derived the multiplication factors judiciously based on the involvement and the skills of each category of workmen. He urges me to reject the demand of the Unions for upward revision.

28. I now refer to the relevant evidence and certain important responses made by the witnesses during the course of their evidence in cross. In his affidavit Exhibit U-5, which is treated as evidence in chief, Shri Prashant Ramchandra Bhagat has given as many as one to ten grounds justifying the increase in the multiplication factors. Now, it may be noted here only that Shri Jaikishna Anand Pande in his affidavit Exhibit UA-4 has given the same grounds. Same is the case with Shri Santram Nagnath Khavase, who in his affidavit Exhibit UB-5 has given the very same grounds and lastly the witness Shri Jeevan Kamlakar Kadu in his affidavit Exhibit UB-8 has followed suit. A careful reading of these responses does not throw any light on the issue, namely, whether or not the existing or not the existing multiplying factors are fair and reasonable or otherwise.

29. I now refer to the evidence of Shri Sumitra Rao whose affidavit, as stated earlier, is at Exhibit C-10 and the same has been treated as his evidence in chief. In his evidence in cross, he has stuck up to the stand taken up by the Company and has not deviated from the same despite his lengthy cross-examination.

30. While responding to the question put to him by the Court, Shri M. Sumitra Rao admits that even though he has made a reference to the same of NSIT, he has not produced any official record or records to substantiate the same. At one stage he happened to state : "Right from CMO to the Assistant Engineer level—we framed the present incentive scheme". Now, this statement rings as if the Unions were excluded while framing the present incentive scheme. He was required to admit that unfortunately what he stated gives such an impression. I am of the view that this part of his evidence should not come in the way of making evaluation of his evidence in its totality because it is a fact that there were as many as sixteen meetings between the Management and the Unions when the terms of settlement were discussed. Moreover, it is not the case of the Unions that they were not parties to the Settlement Exhibit C-18. His evidence coupled with the justification Exhibit C-9 particularly what is stated in paragraphs A, B, C and D does strengthen the plea of the Company that the existing multiplication factors are both fair and reasonable. To say that his evidence is motivated because he happens to be an ex-officer of the Company is to over-simplify the issue. In fact he is the concerned officer who has personal knowledge regarding the framing of the incentive scheme. He was on the spot and he had the advantage of having day to day experience whole supervising the work of the concerned workman.

31. The next witness is Shri A. K. Hambarde and, as stated earlier, his affidavit Exhibit C-14 has been treated as his evidence in chief. His prime contention is that since the JNPT is the major Container handling Port in India and the Officers were having sufficient experience in the subject field, no assistance from outside agencies was obtained. He has stood firm to his stand during the course of his evidence in cross. And there has been no specific challenge to his prime contention stated above. He has impressed me by his evidence.

32. Evidence of the Company's two witnesses read with the justification Exhibit C-9 enables one to hold that what is stated by them is both relevant and important in the context of the multiplication factors. Burden of proof shifts depending on the nature of the case. In the instant case, while it is for the Unions to establish that the existing multiplication factors are neither fair nor reasonable, it is for the Company to establish that they are both fair and reasonable. In view of this special feature of the case, I have made the observation that the burden of proof shifts.

33. In fact, it is difficult to define the two expressions, namely, (i) fair and (ii) reasonable. Referring to Webster's Dictionary, it is possible to say that by "fair" is meant just, equitable, impartial, unbiased. The expression "reasonable" is capable of meaning that which is agreeable to reason, not absurd, within the limit of reason. In fact, it is an objective expression and its objectivity is to be

determined judiciously by the Court. All this does not advance our understanding of the two expressions and one has to consider them in the light of facts on record. In this context, there is one more aspect for consideration. Evidence on record led by the parties does not help the Arbitrator to comprehend the import of the expression scientific data and/or job evaluation to which a reference has been made during the course of examination of the parties. In the absence of necessary evidence on record at the hands of external agency, one has reason to hold that experience is and should be the guiding principle. It is rightly said that experience is the best teacher and it teaches one more than what the theoretical volume teaches. The concerned workmen were carrying out their duties and the supervisors were supervising their day to day work. The inter-action between the two must have given some guideline to both of them to determine as to what is meant by a scientific data and/or job evaluation. The arbitrator will certainly be justified in taking a judicial note of the fact that the practical experience is more important and that it goes a long way in the determination of scientific data and/or job evaluation. Moreover, the Arbitrator cannot be oblivious of the fact that the inter-action between the two and the day to day experience gathered by them was giving results. It is in this back ground that one has to read the various terms in the Settlement Exhibit C-18 bearing in mind that there were many sittings attended by both the parties who discussed the issue under consideration and finally the prime amount could be fixed and the multiplication factors could be determined. It cannot be said that the arrangement that evolved was chance-arrangement. Certainly, there was application of mind on the part of all the concerned.

34. I have given an anxious thought to the oral as also the documentary evidence on record. Evidence led by the Unions, in my view is neither inspiring nor satisfactory and it does not help them to establish that the present multiplication factors are unfair and unreasonable. They have led evidence without fully understanding the issue before the Tribunal. It appears that they treated the issue on a par with the Charter of Demands. On the other hand, evidence led by the Company at the hands of the two witnesses is cogent, to the point and the same merits to be preferred as it has the character of compelling acceptance. Banking on the same, I hold that the existing multiplication factors are fair and reasonable and record my finding on the issue accordingly. In view of this finding, the latter part of the issue does not survive. It follows from this that the present arrangement in the context of multiplication factors need not be disturbed. It remains the same.

35. To make the long story a short one, the Company wins and the Unions lose in this Reference.

36. However, before I conclude, I wish to make a few observations. I refer to the text of the Settlement (Exhibit

C-18). Here the basic arrangement is that there is a prime amount called as X and the multiplication factors called as Y, Y1, Y2 etc. Both of these are inter-related because they are concerning with amelioration of the individual units of an organic whole. Whether in a concrete instance, prime amount is increased or in the alternative the multiplication factors are increased, the sum total of the benefit accruing to the individual unit of the organic whole will remain unaffected.

37. In the overall context of the dispute I am seized of, I could not consider the issue of giving a better allocation to the concerned workmen. In fact it can be accomplished by reasonably increasing the prime amount. I am unable to increase or decrease the prime amount for want of jurisdiction. My jurisdiction is confined only to the determination of the multiplication factors. Now, the legal position on this score is very clear. The Tribunal is not free to enlarge the scope of the dispute referred to it. It must confine its adjudication to the point/s specifically mentioned. Thus the scope is limited. It cannot be enlarged. Enlarging the scope will amount to travelling beyond the scope of Reference.

38. I may refer to clause 7.VI of the Settlement (Exhibit C-18) which reads thus : "The Settlement will be reviewed after a period of two years". Now, the said two years period is already over and the parties, if they so desire, may think of resorting to this enabling provision. There they do get a premise to review the existing Settlement in its entirety and in particular the quantum of the prime amount.

39. That the dispute could not be resolved yesterday does not necessarily mean that it cannot be resolved today or tomorrow. The guideline is and should be : "Do not allow yesterday to sit on today lest the concerned workmen community would lose its tomorrow". It will be useful to seek mutual dialogue between the Company and the three Unions and this alone can lead to the settlement of the issue.

40. Social justice imperative has constrained me to make the above said observations and the other considerations are the hardships suffered by the concerned workmen as a team and their valuable contribution towards increasing port productivity. These observations are in the nature of loud thinking and it is hoped that the parties to the present dispute will not lend a Nelson's eye to these observations. It is my earnest plea that these observations may be seriously considered by the disputants because I firmly believe that Management and Labour should be a great family living in unity and harmony.

41. Award accordingly.

RAJABHAU GAWANDE, Arbitrator

Thane

Dated : 18th May 2005

APPENDIX I
Incentive Scheme for Technical Staff in Container Terminal (Financial Implication)

Categories	Multiplying factor	No. of employees	Updated on 28-03-2000									
			Amount of incentive PM at 12-13.99 moves/hr	Total incentive for the Month	Amount of incentive PM at 14-15.99 moves/hr	Total incentive for the Month	Amount of incentive PM at 16-17.99 moves/hr	Total incentive for the Month	Amount of incentive PM at 18-19.99 moves/hr	Total incentive for the Month	Amount of incentive PM at 20 and above moves/hr	Total incentive for the Month
1	2	3	4	5	6	7	8	9	10	11	12	13
Jr. Engr. (Op)-RMCQ	1	42	3,250	136,500	3,700	155,400	4,500	189,000	5,500	231,000	7,000	294,000
Jr. Engr. (Op)-RTGC	1	42	3,250	136,500	3,700	155,400	4,500	189,000	5,500	231,000	7,000	294,000
Tech (Op)	0.6	35	1,950	68,250	2,220	77,700	2,700	94,500	3,300	115,500	4,200	147,000
Drivers/A.T.s/Checkers (OP)	0.6	114	1,950	222,300	2,220	253,080	2,700	307,800	3,300	376,200	4,200	478,800
Jr. Engr. (Mant)	0.5	23	1,625	37,375	1,850	42,550	2,250	51,750	2,750	63,250	3,500	80,500
Tech (Mant)	0.4	34	1,300	44,200	1,480	50,320	1,800	61,200	2,200	74,800	2,800	95,200
Drivers/A.Ts/Checkers (Mant)	0.4	29	1,300	37,700	1,480	42,920	1,800	52,200	2,200	63,800	2,800	81,200
Other category (ICD & CFS)												
At a level of 100% performance												
Jr. Engr. (Op)	0.7	36	2,275	81,900	2,590	93,240	3,150	113,400	3,850	138,600	4,900	176,400
Tech (Op)	0.5	34	1,625	55,250	1,850	62,900	2,250	76,500	2,750	93,500	3,500	119,000
Drivers/A.Ts/Checkers (OP)	0.5	90	1,625	146,250	1,850	166,500	2,250	202,500	2,750	247,500	3,500	315,000
Total		479										
Total a level of 90% performance												
Jr. Engr. (Op)	0.6	36	1,950		2,220		2,700		3,300		4,200	
Tech (Op)	0.4	34	1,300		1,480		1,800		2,200		2,800	
Drivers/A.Ts/Checkers (OP)	0.4	90	1,300		1,480		1,800		2,200		2,800	
At a level of 80% performance												
Jr. Engr. (Op)	0.5	36	1,625		1,850		2,250		2,750		3,500	
Tech (Op)	0.3	34	975		1,110		1,350		1,650		2,100	
Drivers/A.Ts/Checkers (OP)	0.3	90	975		1,110		1,350		1,650		2,100	
At a level of 70% performance												
Jr. Engr. (Op)	0.4	36	1,300		1,480		1,800		2,200		2,800	
Tech (Op)	0.2	34	650		740		900		1,100		1,400	
Drivers/A.Ts /Checkers (OP)	0.2	90	650		740		900		1,100		1,400	
Grand total/month				966,225		1,100,010		1,337,850		1,635,150		2,081,100
Grand Total/Annum				11,594,700		13,200,120		16,054,200		19,621,800		24,973,200

ICD Operation

4-4.59 = 0.7

5-5.59 = 0.6

6-6.59 = 0.5

7-7.59 = 0.4

CFS Operation within 24 hrs.

91 & Above = 0.7

86-90% = 0.6

80-85% = 0.5

75-80% = 0.4

Eligible criteria for calculating incentive based on the ship operations are as follows :

1. For handling 30,000 containers and above in a month is 100%.
2. For handling 29,000 to 29,999 containers in a month is 95%.
3. For handling 28,000 to 28,999 containers in a month is 90%.
4. For handling 27,000 to 27,999 containers in a month is 85%.
5. For handling 26,000 to 26,999 containers in a month is 80%.
6. For handling 25,000 to 25,999 containers in a month is 75%.
7. For handling containers below 25,000 in a month is -NIL-.

Note : (i) The gross crane productivity per month shall be calculated based on the average gross crane productivity of the vessels handled in that month.

Delay for the reasons stated below shall be deducted from the total crane working hours for the purpose of calculation of INCENTIVE.

1. Delay due to non-compliance of custom formalities by the agent between first and last move.
2. Delay more than one hour at astreach on account of hired/leased equipment.
3. Delay due to forced majeure conditions such as inclement weather condition, manpower supply failure due to extraneous reasons, etc.
4. Delay due to shifting of vessel from one berth to other.

APPENDIX II**Proposed incentive scheme for bulk terminal (Updated 16-02-2000 with multiplying factor as per existing practice)**

Category	Multiply- ing factor	No. of Emple- yees	Avg Dish Incentive p month	3000-3999		4000-4999		5000-5999 MT		6000-6999 MT		7000-7999 MT		8000 & above	
				Total amount per month	Incentive p month	Total amount per month	Incentive p month	Total amount per month	Incentive p month	Total amount per month	Incentive p month	Total amount per month	Incentive p month	Total amount per month	
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15
Jr. Engr. (R/O)	1	28	2500	70000	2800	78400	3300	92400	4000	112000	4900	137200	6000	168000	
Jr. Engr (R/M)	0.75	6	1875	11250	2100	12600	2475	14850	3000	18000	3675	22050	4500	27000	
Tech. & AT (r/O)	0.5	63	1250	78750	1400	88200	1650	103950	2000	126000	2450	154350	3000	189000	
Tech/A.T. (M)	0.5	41	1250	51250	1400	57400	1650	67650	2000	82000	2450	100450	3000	123000	
BTCC/Shipping maintenance/Sub Stores, Auxillar Facility etc.															
Jr. Engr.	0.5	14	1250	17500	1400	19600	1650	23100	2000	28000	2450	34300	3000	42000	
Tech/AT	0.4	130	1000	130000	1120	145600	1320	171600	1600	20800	1960	254800	2400	312000	
HDD	0.3	33	750	24750	840	27720	990	32670	1200	39600	1470	48510	1800	59400	
Checkers	0.3	34	750	25500	840	28560	990	33660	1200	40800	1470	49980	1800	61200	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Mechanical Bagging Opns. at performance level of 100%														
Jr. Engr. (S/O)	0.4	6	1000	6000	1120	6720	1320	7920	1600	9600	1960	11760	2400	14400
Tech & AT (S/O)	0.5	135	1250	168750	1400	189000	1650	222750	2000	270000	2450	330750	3000	405000
Mechanical Bagging Opns. at performance level of 90%														
Jr. Engr. (S/O)	0.3	6	750		840		990		1200		1470		1800	
Tech. & AT(S/O)	0.4	135	1000		1120		1320		1600		1960		2400	
Mechanical Bagging Opns. at performance level of 80%														
Jr. Engr. (S/O)	0.2	6	500		560		660		800		980		1200	
Tech & AT (S/O)	0.3	135	750		840		990		1200		1470		1800	
Mechanical Bagging Opns. at performance level of 70%														
Jr. Engr. (S/O)	0.2	6	500		560		660		800		980		1200	
Tech & AT (S/O)	0.25	135	625		700		825		1000		1225		1500	
Total				583750		653800		770550		934000		1144150		1401000
Total for 12 months				7005000		7845600		9246600		11208000		13729800		16812000

(1) Bagging Operations : Incentive for bagging will be considered subject to minimum throughput of 10000 MT Mechanical Bagging per month.

Average Bagging in a day : 1000 MT & Above-100% Performance level.

Average Bagging in a day : 800 MT to 999 MT-90% Performance level.

Average Bagging in a Day : 600 MT to 799 MT-80% Performance level.

Average Bagging in a Day : 400 MT & above-70% Performance level.

(2) Time lost due to major detentions with complete stoppage of discharge opns. in the particular vessel/mechanical bagging system for more than four hours continuously in a day during vessel discharge/bagging due to rain, holiday (non working), vessel delays and lack of space in the silo will be excluded while calculating average discharge per day.

(3) The average discharge per ship berth day is calculated based on the total dry bulk cargo discharged from the vessels completed in the particular month by the mechanised system considering the individual berth occupancy of all the vessels and the quantity of cargo discharged from these vessels.

(4) The average discharge is based on the total time taken from the starting of discharge operations upto the completion of discharge operations including deck cargo clearing, taking out payload etc.

(5) The minimum throughput of dry bulk cargo handled with the mechanised system per month shall be 80,000 MT and above for achieving the prime amount.

(6) There will be incremental Rates of 30, 50, 70, 90 & 110 Paise respectively for every MT increase in the average discharge rate per day in the slabs of 3000-3999, 4000-4999, 5000-5999, 6000-6999, 7000-7999 & 8000 and above.

(7) Eligibility for incentive :

Throughput of dry bulk through mechanical system 80000 MT or above 100%.

Throughput of dry bulk through mechanical system 78000 MT to 79999 MT 95%.

Throughput of dry bulk through mechanical system 76000 MT to 77999 MT 90%.

Throughput of dry bulk through mechanical system 74000 MT to 75999 MT 85%.

Throughput of dry bulk through mechanical system 72000 MT to 73999 MT 80%.

Throughput of dry bulk through mechanical system 70000 MT to 72999 MT 75%.

Throughput of dry bulk through mechanical system below 70000 MT -Nil.

ANNEX-III
Incentive Scheme for the Staff other than CT & BT (Financial Implication)

Updated on 16th Feb '00/28th Mar' 00

Categories	Multiply- ing factor	No. of Emplo- yees	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth in C/T at	Total Amount of incentive per mth. in C/T at	Total incentive per month	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Average Prime Amount														
Engg. Services & Marine Dept.														
Jr. Engr./Supervisor (P.C & Signal Stn.)	1x0.5x0.5 = 0.25	31	719	22,281	813	25,188	975	30,225	1,188	36,813	1,488	46,113	1,625	50,375
Tech./Signal Supdt./ Statin Officer	1x0.4x0.5x = 0.2	73	575	41,975	650	47,450	780	56,940	950	69,350	1,190	86,870	1,300	94,900
Driver/A. Ts./Sub officers/ Checkers/Sr. Signal Man/ Jr. Signal Man/DCPO/ Fireman	1x0.4x0.5 = 0.2	124	575	71,300	650	80,600	780	96,720	950	117,800	1,190	147,560	1,300	161,200
Total per month														
Indoor staff & PPD Dept.														
OS/Surveyor/Matron/ Draughtsman Gr. I	1x0.5x0.5x0.5 = 0.125	18	359	6,469	406	7,313	488	8,775	594	10,688	744	13,388	813	14,625
Steno Gr. I/Sr. Asstt./ Audit Asst./Computer Operator/Hindi Translator/ Sister-in-charge/ Radiographer/AT (Civil)	9x0.5x0.5x0.5 = 0.112	56	323	18,113	366	20,475	439	24,570	534	29,925	669	37,485	731	40,950
Steno Gr. II/Jr. Asstt./Staff Nurse/Lab. Technician/ Pharmacists/Clerk/ Telex Opttr. Staff Car driver/Hindi Typist/ Theatre Asstt.	0.8 x 0.5 x 0.5 x 0.5 = 0.1	180	288	51,750	325	58,500	390	70,200	475	85,500	595	107,100	650	117,00

श्रम और रोजगार मंत्रालय

नई दिल्ली, 7 जून, 2005

का.आ. 2361. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 82/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-06-2005 को प्राप्त हुआ था।

[सं. एल-20012/619/97-आई आर (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 7th June, 2005

S.O. 2361.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 82/2001) of the Central Government Industrial Tribunal-cum-Labour Court Dhanbad II, now as shown in the Annexure in the industrial dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-6-2005.

[No. L-20012/619/97-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT:**SHRI B. BISWAS,
Presiding OfficerIn the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947**REFERENCE NO. 82 OF 2001**

PARTIES: Employers in relation to the
management of M/s. BCCL and
their workman.

APPEARANCES:On behalf of the workman : Mr. S. N. Goswami,
Advocate.

On behalf of the employers : Mr. H. Nath, Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 18th May, 2005.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012/619/97-IR (C-I), dated the 15th March, 2001.

SCHEDULE

“Kya Colliery Sharmik Sangh ki Mang ke Shri Bistu Mahato Evam Suchi Mey Diya Gaye Anya 18 Karmkaro ko Mudidih Colliery, Bharat Coking Coal Limited ka. Niyamita Karmkar Mana Jaya Uchit Evam Naya Sangat Hai? Yadi ha to ukt Karmkar kis rahat key patra hai tatha kis Tarikh Sey?”

2. Case of the concerned workmen according to written statement submitted by the sponsoring union on their behalf in brief is as follows:—

The sponsoring union submitted that the management of Mudidih Colliery Area No. V engaged the concerned workmen for supplying Free Fuel Coal by Cart Loading from the colliery siding of the colliery for domestic purpose to the officers, staff and other Executives of the Colliery and Area office in their Bunglow, Quarters of Sijua and Mudih Colliery in the year 1980.

They submitted that existing system of supplying of Free Fuel Coal for domestic purpose of the employees/staff/officers of the colliery/establishment under social security/facilities was available under Chapter XI since implementation of NCWA-II under clause 11.2.1 and this existing system is in continuous, permanent and perennial in nature. Therefore as per job description and categorisation of Coal Employees in Cat.I the concerned workmen ought to have been designated at “FUEL COAL SUPPLIER MAZDOOR”. They submitted that the concerned workmen have been performing their job as per job assignment since 1980 under direct control and supervision of the officials of the management continuously. The concerned workmen in course of rendering their services have put attendance for more than 240 days in each calendar since 1980. The concerned workmen used to supply coal to the residence/Bunglow/quarters of the Officers/staff/workers/employees for their domestic use and they used to load coal on bullock-cart according to the directions of Loading Clerk/Loading Supervisor. In rendering such services the concerned workmen used to note their attendance before the Attendance Clerk and they used to draw wages from the management as per their hazira chart. It has been submitted by the sponsoring union that the concerned workmen were directly engaged by the management and they used to render their services under direct supervision and control of the officials of the management and not under any contractor. Accordingly they submitted several representation for regularisation of the concerned workmen as “FUEL COAL SUPPLIER MAZDOOR”. But to no effect, though management provided amenities, facilities to them like other permanent employees of the colliery and allowed to build up their hutments within the vicinity and precinct of the colliery and allowed them to enjoy drinking water, fuel coal, electricity, cow shed etc.. They disclosed that had there not been any relationship of Master and servant

between the management and the concerned workmen they would not provide all those facilities to them. They alleged that in spite of rendering all facilities as the management refused to regularise them as Fuel Coal Supplier Mazdoor, they raised an industrial dispute before the ALC(C), Dhanbad for conciliation which ultimately resulted reference to this Tribunal. The sponsoring union accordingly submitted prayer to pass award directing the management to regularise the concerned workmen as departmental workmen with pay scale of Cat. I and other consequential benefits with effect from 1980.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in their Written Statement. They submitted that no employer-employee relationship existed between the management and the concerned workmen any day. They denied the fact that they ever selected and recruited the concerned workmen as Mazdoor for supply of free coal to their staff and officers for domestic use. Neither their names were enrolled in the Form B Register nor they issued any I.D. Card to them. They categorically denied the fact about the issuance of any work order to the concerned persons for carrying coal on the baskets on their heads and shoulders and supplying the fuel coal at the residence of officers and staff. As they never deployed them to perform such job question of payment of their wages by them never arose. They submitted that they awarded contract to different bullock cart owners at different periods for transporting coal from the coal depot to the residence of officers and staff and to supply the coal to them as per the sanctioned quantity. The contractors received payments for transporting the fuel coal and supplying the same at the residence of the officers and staff on the agreed rate. Said contractors as were local residents they purchased bullocks and bullock carts by investing their own money and they constructed the sheds for keeping the bullocks and feeding them with necessary fodders and other materials. They submitted that the bullock cart owners used to carry on transport business by transporting various goods, materials, foodgrains etc. from the railway station to the shop owners or to other persons of the locality and they also used to engage themselves in carrying on the business of transporting coal from the depot to the residence of the officers and staff of Mudidih Colliery for its distribution according to the requirement and sanction. Moreover, such transportation and distribution of coal through bullock carts are not regular job but are carried on once in a week or once in two weeks. For the rest of the period the bullock carts are utilised for transporting jobs of different persons in the locality. The concerned workmen are the workmen of the bullock cart owners and accordingly they cannot place their demand to be treated as workmen of the management. They submitted that the management never purchased the

bullocks and bullock carts for the purpose of transporting coal to the officers and staff as per requirement and sanction and as such question of engagement of the concerned workmen on the jobs relating to maintenance of the bullock carts and feeding the bullocks and looking after the bullocks by washing cleaning etc. never arose. They submitted further that neither they had any control over the workmen of the bullock cart owners nor they worked under their control and supervision. They are out and out workmen of the bullock cart owners and for which they do not have any claim for their regularisation as Cat. I Mazdoor. Accordingly, they submitted prayer to pass Award rejecting the claim of the concerned workmen.

4. POINTS TO BE DECIDED

“Whether the claim of Colliery Shramik Sangh that Sri Bistu Mahato and 18 others named in the annexure (list enclosed) should be treated as regular workmen, is legal and justified? If yes, to what relief the concerned workmen are entitled and from what date?”

5. FINDING WITH REASONS

The sponsoring union with a view to substantiate their claim examined two witnesses as WW-1 and WW-2. On the contrary management also in support of their claim examined one witness as MW-1. WW-1 who is one of the concerned workman during his evidence disclosed that they were engaged by the management in the year 1980 to load coal in the bullock cart from colliery siding and to unload coals to the quarters of different workmen according to list. He submitted that from 1980 till 9-12-95 they performed their duties in this way. He also disclosed that they used to load coal in the bullock carts under supervision of the loading supervisor and loading Munshi used to record their Hazira. He further disclosed that he used to draw wages from colliery counter. In support of their claim he relied on the Wagesheets which during his evidence was marked as Ext. W-1. It is his contention that as the management refused to regularise them in work they through the sponsoring union raised industrial dispute. WW-2 during his evidence corroborated the facts disclosed by WW-1 in course of his evidence. However, this witness disclosed that the concerned workmen worked directly under the management from 1980 to 1990 continuously. On the contrary MW-1 during his evidence disclosed that while he was posted at Mudidih Colliery during the period from 1973 to 1988 management used to supply free coal to all the staff through contractors engaged by them. He disclosed that for supply of coal management used to pay Rs. 5 per bullock cart loaded with coal. Contractor through their own men used to supply the said coal. He categorically, during his evidence denied the claim of the sponsoring union that the concerned workmen were engaged by the management for supply of coal to the quarters of the workers and officers. It is the

specific contention of the management that no employer-employee relationship ever existed between them and the concerned workmen. Neither they were selected nor recruited by the management and nor their names were enrolled in the Form B Register. Accordingly question of issuance of I.D. Card to them never arose. As they were not the workmen appointed by them, they disclosed that question of issuance of letter of appointment or issuance of pay slip to enable them to receive wages from the pay counter of the colliery never arose. It is their contention that they used to award contract to different bullock cart owners for different periods for transporting coal from the coal depot to the residence of officers and staff and to supply the coal to them as per the sanctioned quantity in respect of different persons. Against supply of coal the contractors used to receive payment from the management. During evidence, WW-1 admitted that neither they received any letter of appointment from the management nor management issued any I.D. Card to them. He also admitted that they never received any wageslip from the management for the work done by them. No Provident Fund account was also opened in their favour. He further admitted that they do not have any sort of paper to show that they worked under the management continuously from 1980 to 1995 excepting the wagesheet marked as Ext. W-1. I have carefully considered the wagesheet Ext. W-1. From this wagesheet it cannot be ascertained at all if the same was maintained in the official capacity of the management and a copy of which was handed over to the workman. The wagesheet marked as Ext. W-1 is for the week ending 3-5-1985. Neither it bears any signature of the officials of the management nor office seal. Accordingly relying on the wagesheet for the week ending 3-5-1985 there is no scope to arrive into conclusion that the concerned workmen received wages from the management against the work performed by them as per this wagesheet. It is the specific claim of the management that no employer-employee relationship ever created in between the concerned workmen and the management. It is their further contention that for supply of coal to the officers and staff which they are entitled as per NCWA they used to give contract to the contractors for the same and those contractors with the help of their own men used to load coal in the bullock carts and thereafter they used to supply coal to the workers and the officers on the basis of requisition slip issued by the management. There is no dispute to hold that as per provision of NCWA management used to supply coal to their officers and staff. There is also no dispute to hold that those officers and staff used to receive coal as per requisition at their quarters. Now the question is whether the concerned workmen being engaged by the management used to supply coal to

them or not. In course of hearing sponsoring union has failed to produce a single scrap of paper excepting the document marked as Ext. W-1 to show that the concerned workmen were engaged by the management and they continuously worked under them from 1980 to 1995. The pertinent question in relation to the demand of the concerned workman comes in though there is no whisper in the Written Statement of the sponsoring union actually who used to supply bullock carts and bullocks for the purpose of loading coal in the bullock carts from the coal depot and transportation of the same to the quarters of the officers and workmen as per requisition. There is no iota of evidence that it was the management who was the owner of those bullock carts and bullocks for loading and supply of coal and for operation of those bullock carts they engaged the concerned workmen. The sponsoring union in course of hearing has failed to produce any cogent paper to show that management was the owner of those bullock carts and bullocks they used for supply of coal through the concerned workmen. It is unbelievable to consider that continuously for a period of 15 years the concerned workman worked under the management being engaged by them but the management neither issued any wageslip to them nor opened any Provident Fund account. If they were considered as regular worker in that case their names ought to have been recorded in the Form B Register along with other particulars for future guidance. It has been specifically mentioned by the management that as no employer employee relationship ever grew up there was no scope to record their names with other particulars in the Form B Register. There was also no scope to issue any wageslips, I.D. Card or to open Provident Fund account number for their future benefit. As the concerned workmen claimed that they were the direct employees of the management onus automatically shifted on the sponsoring union to establish such claim. No doubt the sponsoring union in course of hearing examined two witnesses on their part but considering evidence of these two witnesses I have failed to find out any such material ingredient relying on which they veracity of the claim of the sponsoring union could be relied on. In view of the facts and circumstances discussed above I, therefore, hold that the concerned workmen are not entitled to get any relief. In the result, the following Award is rendered :—

“The claim of Colliery Shramik Sangh that Sri Bistu Mahato and 18 others named in the annexure (list enclosed) should be treated as regular workman is not legal and justified. Consequently, the concerned workmen are not entitled to get any relief.”

B. BISWAS, Presiding Officer

Annexure

नाम

1. बड़ा बिसतू महती
2. मे. इसहाक अन्सारी
3. सेख मैनु दास
4. रीकू राम
5. मे. अमीन अन्सारी
6. रबिकुमार बेलदार
7. चन्द्रकेश भर
8. अलाउद्दीन अन्सारी
9. राजेश राय
10. रमेश
11. सदानन्द
12. श्याम बिहारी
13. रामचन्द्र
14. कश्म मियां
15. जियाउल हसन
16. सम्भ
17. मे. असलम अन्सारी
18. बसंत
19. विरेन्द्र रजवार

नई दिल्ली, 7 जून, 2005

का.आ. 2362. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 13/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-06-2005 को प्राप्त हुआ था।

[सं. एल-20012/176/2003-आईआर(सी-I)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2362.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2004) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure, in the industrial dispute between the employers in relation

to the management of CCL and their workmen, which was received by the Central Government on 3-6-2005.

[No. L-20012/176/2003-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****Present :**

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947

Reference No. 13 of 2004**Parties:**

Employers in relation to the management of Rajhara Area of M/s. CCL and their workmen.

Appearances:

On behalf of the employers : Mr. D. K. Verma,
Ld. Advocate.

On behalf of the workmen : None

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 18th May, 2005

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012/176/2003-IR (C-I), dated the 17-12-2003.

SCHEDULE

“Whether the demands of the Rajhara Colliery Mazdoor Sangh from the management of CCL Rajhara Area (1) for payment of double the normal wages for the extra work done by wagon loaders viz. Loading of 7.25 tonnes as against their prescribed workload of 4.50 tonnes; and (2) for reviving the practice of giving 5 attendances for loading a truck of 10 tonnes by two workmen is just and fair? If so, to what relief are the workmen concerned entitled?”

2. The case of the sponsoring union according to Written Statement submitted by them is as follows :—

The sponsoring union submitted that prior to formation of North Karmpara Area the system of filling the wagon box were done through eight casual wagon loaders. They disclosed that when 2 loaders would fill up the trucks the management used to note five attendance in place of 2 attendance because the workers used to collect best coal from the siding and load in the truck of 10 tonnes. They disclosed that this system of noting extra

attendance started from 1983. After formation of Rajhara Area in the year 1988 which consisted of Rajhara Colliery, Hutar Colliery, Gore Magnetite Project and Tetariya Khand. The same system was followed. They alleged that being aggrieved by the complaint case filed before Ld. Chief Judicial Magistrate, Daltanganj, General Manager S. R. Pandey of Rajhara Area in collusion with Head Quarters to break the backbone of the wagon loaders not only issued illegal and biased orders but also refused to deploy wagon loaders for loading coals who used to be deployed regularly. Instead management started engaging villagers to load trucks and wagons. They accordingly have placed their demand to pay the wages double the normal wages for extra work done by wagon loaders for loading wagons having 58 tonnes capacity by eight wagon loaders. They further submitted that illegal stoppage of giving five attendance for loading of truck of ten tones capacity by two loaders should be renewed.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims & allegations which the sponsoring union asserted in their written statement.

They submitted that demand of the union for payment of double the normal wage for extra work done by wagon loaders viz. loading of 7.25 tonnes as against their prescribed workload of 4.50 tonnes is neither legal nor justified and against the provision of NCWA-VI. In fact piece rated workers are entitled to draw wages on pro-rata basis for doing extra work beyond the prescribed work load of 4.50 tonnes as per NCWA-VI.

They submitted that in chapter III of NCWA VI the wage rate, work norms etc. of piece rated workers have been mentioned. In para 3 : 4 : 1, special provision for payment of wages if a workman works in excess of the prescribed work load has been made out. As per the said provision a piece rated worker shall be paid prorata increase in the basic piece rate as well as special dearness allowance and variable dearness allowance.

They disclosed that NCWA-VI is an agreement between all recognised unions and the managements and the same is binding to all workmen as well as management of Coal Industry.

Accordingly, management submitted that as the demand of the sponsoring union is a state demand they are not entitled to get any relief.

4. POINTS TO BE DECIDED

“Whether the demands of the Rajhara Colliery Mazdoor Sangh from the management of CCL Rajhara Area (1) for payment of double the normal wages for the extra work done by wagon loaders viz. Loading of 7.25 tonnes as against their prescribed workload of 4.50 tonnes; and (2) for reviving the

practice of giving 5 attendances for loading a truck of 10 tonnes by two workmen is just and fair ? If so, to what relief are the workmen concerned entitled?”

FINDINGS WITH REASON

5. It transpires from the record that in spite of giving several opportunity the sponsoring union did not consider necessary to adduce any evidence either oral or documentary to substantiate their claim. Management also did not consider necessary to adduce any evidence on their part.

As per written statement it is the contention of the sponsoring union that management since long years used to note five attendance for loading of coal in a truck of 10 tonnes by two workmen instead of noting two attendance. They alleged that management arbitrarily stopped that privilege to the workmen who since long years enjoyed.

Similarly it is their further claim that management used to deploy eight workmen for loading of wagon having 58 tonnes capacity. As per norms a workman is liable to load 4.50 tonnes of coal in the wagon. They disclosed that a workman is entitled to get double the wages for his loading 7.25 tonnes of coal but that too management have denied to pay. On the contrary, management referring NCWA-VI submitted that a workman is eligible to get extra wages on prorata basis for loading of coal excess to that of the required quantity which he is liable to load as piece rated worker. And in support of that claim they relied on para 3 : 4 : 1 as special provision for payment of wages if a workman works excess of the prescribed work load. They submitted that as per the said provision a piece rated worker shall be paid prorata increase in the basic piece rate as well as special dearness allowance and variable dearness allowance.

Disclosing this fact they submitted that the demand which the sponsoring union placed is against the provision of NCWA-VI. In spite of getting ample opportunity the sponsoring union have failed to produce a single scrap of paper in support of their claim.

It is to be borne into mind that facts disclosed in the written statement cannot be considered as substantive piece of evidence until and unless it is substantiated by cogent evidence. As the sponsoring union have lamentably failed to substantiate their claim by adducing cogent evidence just relying on the facts disclosed in the written statement there is no scope to uphold their contention particularly when the provision laid down in NCWA-VI as mentioned above speaks contrary to their claim.

According, the demand of the sponsoring union can not be acceded to.

In the result the following award is rendered :

“That the demands of the Rajhara Colliery Mazdoor Sangh from the management of CCL Rajhara Area

(1) for payment of double the normal wages for the extra work done by wagon loaders viz. Loading of 7.25 tonnes as against their prescribed workload of 4.50 tonnes; and (2) for reviving the practice of giving 5 attendances in place of 2 attendances for loading a truck of 10 tonnes by two workmen is not just and fair.

Accordingly, the concerned workmen are not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2363.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रम न्यायालय धनबाद-II, के पंचाट (संदर्भ संख्या 139/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-2005 को प्राप्त हुआ था।

[सं. एल-20012/324/98-आई आर (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2363.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 139/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 3-6-2005.

[No. L-20012/324/98-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD PRESENT

Shri B. Biswas,
Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I. D. Act, 1947

REFERENCE NO. 139 OF 1999.

PARTIES: Employers in relation to the management
of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. B. M. Prasad,
Advocate.

State : Jharkhand : Industry : Coal

Dated, Dhanbad, the 19th May, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/324/98-IR (C-I), dated, the 22nd February, 1998.

SCHEDULE

"Whether the action of the management of Laikdih Deep Colliery under C.V. Area of BCCL in dismissing Sri Khera Roy U.G. Loader (B. Form No. 2347) w.e.f. 15-3-96 is justified? If not, what relief the workman is entitled?"

2. The case of the concerned workman according to Written Statement, submitted by the sponsoring Union in brief is as follows:—

The sponsoring union submitted that the concerned workman was underground loader in Laikdih Deep Colliery. They submitted that owing to his illness it was not possible on the part of the concerned workman to attend to his duties and the said matter was duly reported to the management. After recovery when he came to his place of work with a view to resume his duty management issued him a letter of dismissal under signature of Agent vide letter No. BCCL/1202/96/398 dt. 15-3-96. They alleged that management passed that order of dismissal without holding domestic enquiry as well as without knowledge of the concerned workman. Accordingly they submitted that the said order of dismissal was not only arbitrary but also absolutely illegal in the eye of law. After that order of dismissal the concerned workman submitted the representation with prayer for reinstatement but as it was refused he raised an industrial dispute through the sponsoring union before the ADC(C) for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union submitted prayer to pass Award directing the management to reinstate the concerned workman in his service with back wages and other consequential relief from the date of his dismissal.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in their written statement submitted on behalf of the concerned workman. They submitted that the concerned workman was underground loader at Laikdih Deep Colliery. They further disclosed that the developed the habit of absenting himself from duty without information and without permission and also without showing satisfactory cause. During the year 1992, 1993 and upto 13-3-94 he worked for 79 days, 109 days and 28 days respectively. From 14-3-94 again he started absenting himself from duty without giving any intimation or taking prior permission from the management. As a result on 7-3-95 for committing misconduct on the ground of

absentism they issued chargesheet to the concerned workman which was sent to his home address by Regd. Post A/D. The concerned workman as did not consider necessary to submit reply to the chargesheet, disciplinary authority decided to hold domestic enquiry against him and accordingly appointed Enquiry Officer. The enquiry officer after assuming the charge of enquiry also issued notice to the concerned workman repeatedly but to no effect. Thereafter the Enquiry Officer was compelled to proceed with the hearing of the enquiry proceeding *ex parte* and submitted report after completion of hearing of that enquiry proceeding. The disciplinary authority thereafter issued a notice dt. 7-2-96 enclosing therewith copies of the enquiry proceeding papers and enquiry report at his home address by Regd. Post A/D. In spite of sending all those papers the concerned workman did not submit any representation against the finding of the enquiry officer. Accordingly Disciplinary Authority after considering all aspects including his past conduct issued the order of dismissal by letter dt. 15-3-96 against him. They submitted that the Disciplinary Authority neither took any arbitrary decision nor committed any illegality in dismissing the concerned workman from service. Accordingly, they submitted prayer to pass Award rejecting the claim of the concerned workmen.

4. POINTS TO BE DECIDED

“Whether the action of the management of Laikdih Deep Colliery under C.V. Area of BCCL in dismissing Sri Khera Roy U.G. Loader (B. Form No. 2347) w.e.f. 15-3-96 is justified? If not, what relief the workman is entitled?”

5. FINDING WITH REASONS

It transpires from the record that before taking up hearing of this case on merit it was taken into consideration whether domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice or not. It is seen that the said issue on preliminary point was disposed of by this Tribunal vide order No. 19 dt. 3-1-2005 in favour of the management. Therefore, now the point for consideration is whether the management have been able to substantiate the charge brought against the concerned workman and if so whether the concerned workman is entitled to get any relief under Section 11A of the I.D. Act., 1947.

In course of evidence of MW-1 the chargesheet issued against the concerned workman was marked as Ext. M-1. From the chargesheet it transpires that the same was issued on the allegation of committing misconduct for unauthorised absence of the concerned workman from 14-3-94 to 6-3-95. Considering evidence of MW-1 there is no dispute to hold that the concerned workman did not submit any reply to the chargesheet. It also transpires

clearly from the materials on record that in spite of issuance of repeated notices the concerned workman did not appear with a view to face the enquiry proceedings. The enquiry papers if looked into will expose clearly which ventures the Enquiry Officer took to serve notices upon the concerned workman for causing appearance of the concerned workman in course of enquiry proceeding. As the ventures taken by the Enquiry Officer in that regard went fruitless he took up hearing of the enquiry proceeding *ex parte* and after completion of hearing submitted his report to the Disciplinary authority which during evidence of MW-1 was marked as Ext. M-8. It is the contention of the management that the enquiry report and proceeding papers also were sent to the concerned workman by Regd. Post but the same was returned back with the comments of the Postal Peon “Refused”. The envelope containing enquiry report during evidence was marked as Ext. M-8/1. As the concerned workman refused to accept the enquiry report which sent by the Agent by Regd. Post with A/D this should be considered as valid service. It is seen that knowing fully well of the enquiry proceeding matter the concerned workman did not consider necessary to submit his explanation in support of his claim if any.

It is seen that the concerned workman previous to this incident was also in the habit of remaining himself absent from duty without assigning any sufficient cause and also without obtaining any permission from the management. In the instant case the concerned workman remained himself absent for about one year continuously and without giving any intimation or taking prior permission from the management. After careful consideration of all the facts circumstance, I find sufficient reason to hold that the management have been able to substantiate the charge of misconduct against the concerned workman. In course hearing the order of dismissal issued against the concerned workman was marked as Ext. M-9.

Now the point for consideration is if there is any scope to review that order of dismissal relying on the provision as laid down under Section 11A of the I.D. Act., 1947. It is admitted fact that the concerned workman was underground loader at Laikdih Deep Colliery. There is also no dispute to hold that for committing misconduct on the ground of absentism management issued chargesheet against the concerned workman and thereafter conducted domestic enquiry against him through the Enquiry Officer. During enquiry proceeding it exposed that the concerned workman was in the habit of remaining himself absent from duty without giving any information or taking prior permission from the management. The contention of the management is that during 1992, 1993 and upto 13th March, 1994 he put his attendance for 79 days, 109 days and 28 days respectively and thereafter with effect from 14-3-94 he continuously started remaining himself

absent from duty without giving any intimation or taking prior permission from the management and for which management was compelled to issue chargesheet to him dt. 7-3-95. Therefore, it transpires clearly that management issued chargesheet for committing misconduct on the ground of absentism after the concerned workman remained himself absent for about one year continuously. It is the contention of the sponsoring union that as the concerned workman was lying seriously ill it was not possible for him to attend to his duty and for which due intimation was given to the management, but management illegally and arbitrarily ignoring that fact dismissed him from service when he came to his place of work with a view to resume his duties. It is really curious to note that in course of hearing before this Tribunal the sponsoring union did not consider necessary to produce a single scrap of paper to show that actually the concerned workman was lying ill and for which it was not possible on his part to attend to his duty. They also have failed to produce a single scrap of paper to show that due intimation was given to the management. Therefore, there is sufficient reason to believe that plea taken by the sponsoring union is far from satisfactory and for which there is no scope to give any importance to that claim. On the contrary considering materials paper on record it has been established that conduct of the concerned workman relating to his attendance in duty for the previous years was absolutely bad. In the instant case actually for about a year the concerned workman remained himself absent from duty and did not consider necessary to give any intimation to the management about the reason of such absence. Gesture of the concerned workman if is taken into consideration will expose clearly that he considered the place of his employment as of his Zamindari and accrued right to enjoy his service as of his wishes and choice. The concerned workman was so much adamant that even when copies of enquiry proceeding and other enquiry papers were sent to him by Regd. Post with A/D he refused to accept the same. Even he did not consider necessary to assign any reason. To that effect. After that order of dismissal issued by the management the sponsoring union came forward and raised industrial dispute to shield the interest of the workman by making some allegations and aspersions against the management not being supported by any sufficient cause. Accordingly after careful consideration of all the facts and circumstances I hold that the order of dismissal issued against the concerned workman by the management was absolutely justified and there is no scope at all to review that order of dismissal. Accordingly the concerned workman is not entitled to get any relief. In the result, the following Award is rendered.

"The action of the management of Laikdih Deep Colliery under C.V. Area of BCCL in dismissing Shri

Khera Roy U.G. Loader (B, Form No. 2347) w.e.f. 15-3-96 is justified. Consequently, the concerned workman is not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2364. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 259/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-06-2005 को प्राप्त हुआ था।

[सं. एल-20012/466/98-आई आर (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2364. — In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 259/99) of the Central Government Industrial Tribunal /Labour Court Dhanbad II now as shown in the Annexure, in industrial dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 3-6-2005.

[No. L-20012/466/98-IR (C-I)]

N.P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1) (d) of the I. D. Act., 1947

REFERENCE No. 259 OF 1999

PARTIES: Employers in relation to the
management of Lohapatti Colliery
of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None
On behalf of the employers : Mr. H. Nath, Advocate.

State : Jharkhand Industry : Coal/

Dated, Dhanbad, the 24th May, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/466/98-IR (C-I), dated the 4th June, 1999.

SCHEDULE

“Whether the action to dismiss Shri Ishwar Singh, Driver from service by the management of Lohapatty Colliery of M/s. BCCL and non-payment of subsistence allowance is justified? If not, to what relief the concerned workman is entitled to?”

2. The case of the management according to Written Statement submitted by them in brief is as follows :—

They submitted that the concerned workman, a driver was on 3rd Shift duty on 30-11-1996. They disclosed that while he was engaged in driving the truck bearing Number BHN-8624 dashed against a tree near Muchraidih resulting serious damage to that truck which involved a loss of Rs. 50,000/-.

They alleged that as the said accident took place due to rash and negligent driving of the said truck by the concerned workman a chargesheet vide letter No. LC/CS/96/3623 dt. 2-12-96 was issued to him under clause 26-1-15 and 26-1-2 of the Certified Standing Orders applicable to the employees of the Company. The concerned workman on receipt of the said chargesheet submitted his reply but as the said reply was not satisfactory the Disciplinary Authority decided to hold domestic enquiry against him and appointed Enquiry Officer. The said Enquiry Officer in course of hearing enquiry preceeding extended full opportunity to the concerned workman to defend his case. During hearing they submitted that the concerned workman did not raise any question in the manner and way the Enquiry Officer conducted the enquiry against him. They submitted that the said Enquiry Officer after conducting domestic enquiry submitted his report holding the concerned workman guilty to the charge brought against him.

The Disciplinary Authority thereafter, with the approval of the Competent Authority awarded him punishment and he was reverted back to the post of Helper/Khalasi and placed in Category II w.e.f. 31-7-97. It is the specific claim of the management that they did not dismiss the concerned workman from service as per reference. They further submitted that the Disciplinary Authority neither took any arbitrary decision nor committed any illegality in reverting him back to the post of Khalasi/Helper in Cat. II as he was found guilty to the charge brought against him.

3. It transpires from the record that inspite of getting ample opportunity neither the sponsoring union nor the concerned workman filed any Written Statement in support of the Industrial Dispute raised by him for which the instant reference case was taken up for exparte hearing.

4. POINTS TO BE DECIDED

“Whether the action to dismiss Shri Ishwar Singh, Driver from service by the management of Lohapatty Colliery of M/s. BCCL and non-payment of subsistence allowance is justified? If not to what relief the concerned workman is entitled?”

5. FINDING WITH REASONS

Before taking up hearing of this case on merit it was taken into consideration if domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. It transpires from the record that the said issue on preliminary point was disposed of vide Order No. 13 dt. 17-5-2005 in favour of the management.

Now the point for consideration is if the management have been able to substantiate the charge brought against the concerned workman and if so whether he is entitled to get any relief U/S. 11-A of the I.D. Act.

Considering the evidence of MW-1 & also materials on record there is no dispute to hold that the concerned workman was a driver posted at Lohapatty Colliery. It is the contention of the management that on 30-11-96 the concerned workman was on 3rd shift duty and in course of his said duty while he was engaged in driving Truck No. BHN-3624 dashed against a tree at Muchraidih. They alleged that the said accident took place due to rash and negligent driving of the said Truck by the concerned workman. They further alleged that due to said accident not only the said truck was damaged badly but also it incurred a loss of Rs. 50,000/-. They disclosed that as the concerned workman committed such misconduct under clause 20-1-15 and 26-1-2 of the Certified Standing Order applicable to the workman of the management a chargesheet bearing No. LC/CS/96/3623 dt. 2-12-96 was issued to him. The copy of the said chargesheet during evidence of MW-1 was marked as Ext. M-2. After receipt of the said chargesheet the concerned workman submitted his reply which was also marked as Ext. M-3. The reply was given by the concerned workman on 6-12-96. In his reply he disclosed that on 1-12-96 driving his truck while he was preceeding to Area Office reached of at his place of occurance suddenly he faced a woman with three children was trying to cross the road from right to left direction. At that time a private car came to the spot from Mohuda side and as a result the situation went beyond his control and the truck dashed against a road side tree. Disclosing this fact he submitted the said accident did

not take place for his rash and negligent driving but to save the lives of some persons.

It is seen that inspite of the said fatal accident the concerned workman did not personally give any intimation to the management. On the contrary disclose that he intimated the matter to Madan Napit for report to the management. To uphold his contention he did not consider necessary to examine that person as witness during hearing of the enquiry proceeding. Therefore, veracity of this fact cannot be relied on. From his reply there is no whisper if due to mechanical fault the said accident took place. On the contrary it has been exposed that the said accident took place to save the lives of some persons who at that relevant time tried to cross the road from right to left side. He disclosed that at that relevant time a Private car also was on the road for which he was not in a position to control his truck. The concerned workman also did not consider necessary to examine the driver of that private car in course of hearing to establish the genuinity of his claim. From his reply I also do not find any whisper why he did not take attempt to stop his vehicle when he apprehended danger to lives of those persons who at that relevant moment tried to cross the road. Considering his reply there is reason to believe that he was driving his truck with high speed and for which it was not possible on his part to stop the same with a view to avoid that accident. If the reply of the concerned workman is taken into consideration carefully further it will expose that he was very much negligent in driving his truck and for which the said accident took place. Accordingly the plea taken by the concerned workman in his reply cannot in any circumstances be considered as sufficient enough to accept that he had no fault in meeting the accident in question. As a result of the said accident the Truck was badly damaged and that also was not denied by the concerned workman. It is not expected that a driver while on the steering should drive in such a manner that he would not be able to control the same in case of any exigency. Therefore, considering all aspects carefully which I have discussed above I find sufficient reason to hold that for rash and negligent driving of the truck by the concerned workman the said accident took place. Management issued chargesheet against the concerned workman under clause 26-1-15 and 26-1-2 of the Certified Standing Order. Clause 26-1-15 speaks "Causing wilful damage to work in progress or to the Property of the employer" and clause 26-1-2 speak "Habitual negligence or neglect of duty, malingering, slowing down of work or inciting others to do so." Considering the material evidence on record I hold that management has well been able to establish charge under clause 26-1-15 of the Certified Standing Order against the concerned workman. Management also have been able to substantiate part of the charge as per clause 26-1-2 of the Certified Standing Order i.e. "Negligent of duty". Had he not been negligent in duty at the time of driving the said truck he could easily

aver the accident in question and in that case the said truck would not sustain serious damage and automatically question of sustaining loss would not arise. It transpires from the record that after submitting the enquiry report the Disciplinary Authority considering the same and incident inflicted no severe punishment like order of dismissal but only issued order for his demotion to the post of Helper/Khalasi.

6. Now the point for consideration is whether the concerned workman is entitled to get any relief U/s. 11A of the I.D. Act, 1947. Section 11A of the I.D. Act, 1947 speaks as follows :—

"Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require."

The schedule to the order of reference which was received from the Ministry is as follows :—

"Whether the action to dismiss Shri Ishwar Singh Driver from service by the management of Lohapatty Colliery, M/s. BCCL and non-payment of subsistence allowance is justified? If not, to what relief the concerned workman is entitled to?"

According to the schedule of the order of reference the concerned workman was dismissed from his service and that is why answer is required to be given whether that order of dismissal issued by the management was justified or not? From the record it transpires that the concerned workman was not at all dismissed from his service, he was only demoted to the post of Helper/Khalasi from the post of Driver as punishment. Therefore, there is no scope to answer whether the order of dismissal issued by the management was justified or not?. In the circumstances, there is also no scope to review the punishment of demotion in service imposed upon the concerned workman U/s. 11A of the I.D. Act., 1947. In the result, the following Award is rendered :—

"The action of the management to issue order of demotion against the concerned workman Shri Ishwar Singh, Driver (not order of dismissal as mentioned in the order of reference) to the post of Khalasi/Helper was justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2365.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 319/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-2005 को प्राप्त हुआ था।

[सं. एल-20012/202/99-आई आर(सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2365.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 319/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 3-6-2005.

[No. L-20012/202/99-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT:**

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section
10(1)(d) of the I. D. Act, 1947

REFERENCE NO. 319 OF 1999**PARTIES:**

Employers in relation to the management of
Kustore Area of M/s. B.C.C.L. and their
workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. R. N. Ganguli,
Ld. Advocate.

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 25th May, 2005

AWARD

The Government of India, Ministry of Labour, in
exercise of the powers conferred on them under Section

10(1)(d) of the I. D. Act, 1947 has referred the following
dispute to this Tribunal for adjudication vide their Order
No. L-20012/202/99-(C-I), dt. 22-11-1999.

SCHEDULE

"Whether the action of the management in denying
promotion to Shri Banwari Kurmi of technical and
supervisory grade C contrary to JBCCI cadre scheme
and past practices is justified? If not, to what relief
the workman is entitled to?"

2. The case of the concerned workman according to
written statement, submitted by the sponsoring Union on
his behalf in brief is as follows :—

The sponsoring union submitted that the concerned
workman was posted at Kustore Colliery under Kustore
Area as Winding Engine Khalasi. They disclosed that he
obtained Winding Engine Man's II class certificate
(Electrical) from Competent Authority on 31-3-86 and the
number of his Certificate is 1178. They alleged that as per
the said certificate though he was entitled to get his
promotion in category VI as per N.C.W.A. Management
did not consider his such promotion. They further
disclosed that thereafter in the year 1993 he obtained
Winding Engine Man's I Class Certificate (Electrical) and
the number of that certificate is 867. They submitted that
as per this Certificate he was entitled to get his promotion
in the post of T & S Gr. 'C' as per NCWA but the
management did not give him any such promotion for
which he was deprived of getting the benefits of the
Statutory Competency Certificate. They alleged that
management illegally, arbitrarily and violating the principle
of natural justice deprived him from his legitimate claim
and for which he raised an Industrial Dispute for
conciliation which ultimately resulted reference to this
Tribunal for adjudication.

The sponsoring union on behalf of the concerned
workman accordingly submitted prayer to pass award
directing the management to issue order of promotion in
Cat. VI from the date of obtaining class II Certificate and
promotion in T & S Grade 'C' from the date of obtaining
Class I Certificate, i.e., w.e.f. 25-1-93 along with back wages
and other consequential relieve.

3. Management on the contrary after filing written
statement-cum-rejoinder have denied all the claims and
allegations which the sponsoring Union asserted in the
written statement submitted on behalf of the concerned
workman.

They submitted that as per JBCCI Circular No. 30
dt. 26-6-84 Winding Engine Operators are required to be
placed in Category V if he is promoted and placed as
Winding Engine Operator after obtaining 2nd class
certificate of competency for operating Winding Engine
from the Mining Examination Board.

They disclosed that a Winding Engine Operator in Cat. V may be considered for his promotion to Cat. VI after he obtains first class Certificate of Competency as Winding Engine Operator and has completed minimum of 3 years of experience as Cat. V Winding Engine Operator on the basis of Trade Test conducted by the DPC to fill up the vacancy existing in the colliery. Thus, the prerequisite for promotion is existence of vacancy and passing the trade test conducted through D.P.C. after a person becomes eligible for consideration of his promotion.

The Winding Engine Operator can only be promoted to higher grade in case of existence of Koope Winder. They disclosed that as in their colliery there is no Koope Winder his grade of promotion of Winding Engine Operator was considered in Cat. VI only.

They submitted that concerned workman after obtaining his first class certificate of Winding Engine Operator, raised an Industrial Dispute through his RCMS Union before ALC(C), Dhanbad and as per cadre scheme he was placed in Cat. VI with effect from 1-1-1994 on the basis of Tripartite Settlement arrived at on 21-10-94 in the course of conciliation proceeding carried on under the jurisdiction of ALC(C), Dhanbad IV. They disclosed that they have already implemented the aforesaid settlement which is still binding. Accordingly, during pendency of that settlement, there is no scope for raising any Industrial Dispute by him through other unions.

They submitted that as Cat. VI is highest grade for the Winding Engine Operator and as in their colliery there is no Winding Engine named Koope Winder, there is no scope to issue further promotion order in his favour. Accordingly, demand of the sponsoring union for his promotion in grade 'C' is without any merit and for which his such claim is liable to be rejected summarily.

4. POINTS TO BE DECIDED

"Whether the action of the management in denying promotion to Shri Banwari Kurmi of technical and supervisory grade C contrary to JBCCI cadre scheme and past practices is justified? If not, to what relief the workman is entitled to?"

5. FINDING WITH REASONS

It transpires from the record that in spite of offering several opportunities as the sponsoring union/workman failed to take any step with a view to substantiate the claim in question the instant reference case was fixed for ex parte hearing on the part of the management. On the date of hearing the management also declined to adduce any evidence on their part. In view of this circumstances relying on the pleading of both sides and materials on record let it be considered how for the claim of the concerned workman stands on cogent footing.

Management in their written statement admitted the fact of obtaining first class certificate of Winding Engine Operator by the concerned workman. They also admitted that R.C.M.S. Union on behalf of the concerned workman raised an Industrial Dispute before ALC(C), Dhanbad.

According to written statement submitted by the sponsoring union the concerned workman claimed his promotion in Cat. VI w.e.f. 31-3-86 and his promotion in T & S Grade 'C' from the date of obtaining 1st class Competency Certificate w.e.f. 25-1-1993. The contention of the management is that as per J.B.C.C.I. Circular No. 30 dt. 26-6-84 Winding Engine Operators are required to be placed in Cat. V if he is promoted and placed as Winding Engine Operator after obtaining 2nd class Certificate of Competency for operating Winding Engine from the Mining Examination Board. Again Winding Engine Operator in category V may be considered for his promotion to Cat. VI after he obtains 1st class Certificate of Competency as Winding Engine Operator and has completed minimum 3 years of experience as Cat. V Winding Engine Operator on the basis of trade test conducted by the D.P.C. to fill up the existing vacancies.

Here in the instant case from the facts disclosed by the written statement it transpires that the concerned workman was Winding Engine Khalasi posted at Kustore Area and not as Winding Engine Operator. It has been disclosed by the management that haulage khalasi in Cat. IV or any other person belonging to E & M Cadre can be considered for his promotion as Winding Engine Operator subject to the conditions that he obtained 2nd class Winding Engine Khalasi Certificate and also that he passed necessary trade test in that regard. It is seen that as Winding Engine Khalasi the concerned workman obtained Winding Engine Man's II class certificate on 31-3-86 and Winding Engine Man's I class Certificate on 25-1-1993. No evidence is forthcoming if after obtaining 2nd class Certificate he appeared for trade test or not. It is the contention of the management that without Trade Test, a Khalasi though obtained requisite 2nd class Certificate is not eligible to get his promotion as Winding Engine Operator in category VI. Again to get promotion in category VI he must obtain his experience for three years and must obtain 1st class Certificate and thereafter he will be eligible to appear in the Trade test to be conducted by D.P.C. If he fulfils the required condition and if he passed the trade test then as per vacancy he will get his posting as Winding Engine Operator in Cat. VI is that there must be vacancy for the post of Winding Engine Operator. They further disclosed that there is no provision to get promotion directly in T & S grade 'C' only for obtaining 1st class Certificate.

It has been further submitted by the management that during pendency of hearing of the dispute before

ALC(C), Dhanbad the concerned workman was placed in Cat. VI w.e.f. 1-1-94 on the basis of Tripartite Settlement arrived at on 21-10-94. They further submitted that the said settlement is still in force and as per the terms & conditions of the said settlement full benefit was given to him. They disclosed that raising of further Industrial Dispute is to be considered illegal when the settlement in question is still in force as per Sec. 18 of the I.D. Act.

Considering the submission of the management and materials on record it is clear that as per Tripartite Settlement the concerned workman was placed in Cat. VI as Winding Engine Operator. As per that settlement he has already been provided with all benefits.

Therefore, onus is on the sponsoring union to establish that the concerned workman is not bound by the said settlement and also it was not at all acted upon. It is seen that neither the concerned workman nor his sponsoring union has failed to produce an iota of evidence to refute the claim of the management. Onus is also on the sponsoring union to establish that the moment a workman obtains 1st class certificate he is eligible to get his promotion in T & S grade 'C' particularly when management categorically denied this claim. It is curious to note that neither the sponsoring union nor the concerned workman considered necessary to establish such claim.

It is to be borne into mind that facts disclosed in the written statement cannot be considered as substantive piece of evidence until and unless the same are substantiated by material evidence either oral or documentary.

Management specifically asserted relying on Tripartite Settlement that the concerned workman has got his promotion in Cat. VI w.e.f. 1-1-94. Again as per clause 2 of the settlement it was agreed upon that arrear payment pertaining to the period from 2-2-92 should be decided mutually at Area level within two months from the date of settlement. There is no whisper on the part of the sponsoring union that the said settlement was not acted upon as per terms and conditions. There is also no whisper that the sponsoring union submitted any application to RLC(C) subsequently disagreeing with the terms and conditions of the said settlement. It is seen that over the issue in question when a Tripartite Settlement existed the sponsoring union over self same issue raised another dispute without disclosing any fact which led them to take such decision.

Accordingly, after careful consideration of all the facts and circumstances discussed above I hold that sponsoring union have lamentably failed to establish their claim and for which the concerned workman is not entitled to get any relief.

In the result, the following Award is rendered :—

“That the action of the management in denying promotion to Shri Banwari Kurmi of Technical and Supervisory Grade 'C' contrary to JBCCI cadre scheme and past practices is justified.”

Consequently the concerned workman is not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2366.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-I के पंचाट (संदर्भ संख्या 15/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-2005 को प्राप्त हुआ था।

[सं. एल-20012/235/99-आई. आर. (सी-1)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2366.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/2000) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-I now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workmen, which was received by the Central Government on 3-6-2005.

[No. L-20012/235/99-IR (C-I)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of the I. D. Act

Reference No. 15 of 2000

Parties : Employers in relation to the management of Mudidih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

Present : Shri S. Prasad, Presiding Officer

Appearances :

For the Employers : None.

For the Workman : None.

State : Jharkhand

Industry : Coal

Dated, the 20th May, 2005.

AWARD

By Order No. L-20012/235/99-IR (C-1) dated, 20-12-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Mudidih Colliery of M/s. BCCL in not regularising S/Sri Shambhu Nath Rabidas and Akhileshwar Mahato, M/Loader in accordance with statement dated 21-7-95 is justified ? If not, to what relief the concerned workmen are entitled?”

2. This reference was received in this Tribunal on 6-1-2000. But till 18-5-2005 no written statement has been filed on behalf of the workmen though several opportunities were granted to the workmen. It, therefore, appears that neither the concerned workmen nor the sponsoring union are interested to contest the reference case.

3. In such circumstances, I render a ‘No Dispute’ Award in the present reference case.

S. PRASAD, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2367—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. शम एविएशन प्रा. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नई दिल्ली-II के पंचाट (संदर्भ संख्या 16/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-6-2005 को प्राप्त हुआ था।

[सं. एल-11012/121/99-आई. आर. (सी-1)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 7th June, 2005

S.O. 2367.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2000) of the Central Government Industrial Tribunal/Labour

Court, New Delhi-II now as shown in the annexure in the Industrial Dispute between the employers in relation to the management of M/s. Sham Aviation (P) Ltd. and their workman, which was received by the Central Government on 3-6-2005.

[No. L-11012/121/99-IR (C-1)]

N. P. KESAVAN, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II,
NEW DELHI**

PRESIDING OFFICER : R. N. RAI

I.D. No. 16/2000

IN THE MATTER OF :

Sh. Arvind Kumar Chaudhary,
F-350, Gali No. 23, Sadh Nagar,
Part-II, Palam Colony,
New Delhi-110045.

VERSUS

M/s. Sam Aviation (P) Ltd.,
Jaydeep Meer Chandani,
Salatpur State, 15 No.,
Form House, Near Andhariya More,
Maheroli, New Delhi.

AWARD

The Ministry of Labour by its letter No. L-11012/121/99-IR (C-1) Central Government Dt. 04-02-2000 has referred the following point for adjudication.

The point runs as hereunder :—

SCHEDULE

“Whether the action of the Managing Director M/s. Sam Aviation (P) Ltd., Room No. 15, Hotel Janpath, New Delhi-110001 in termination the services of Sh. Arvind Kumar Chaudhary, Cargo Supervisor w.e.f. 1-3-99 is justified ? If not, to what relief the workman is entitled to?”

The workman has filed statement of claim. In his statement of claim, it has been stated that the workman applied for the post of supervisor in the respondent establishment on 02-11-1995. On the basis of the application, the management appointed him as Cargo Supervisor with effect from 17-11-1995 at a monthly wages of Rs. 3,000 per month. A copy of the

appointment letter issued by the management to the workman is placed herewith and marked as Exb. WW 1/1. The workman's last drawn monthly wages were Rs. 3,744/-. A copy of the salary slip for the month of January, 1998 is placed herewith and marked as Exb. WW 1/2.

That the workman used to do his job sincerely and honestly. It is submitted that for discharging the responsibilities of the job, the workman used to enter Airport and the management required to provide entry pass to the workman. The workman seeks the permission of the Hon'ble Court to place the following documents on record to prove his case. A copy of the letter dt. 02-12-1995 issued by the respondent management to the Security Manager, Airports Authority of India is placed herewith and marked as Exb. WW 1/3. The photo-copy of the attendance record of January, 1996 is placed herewith and marked as Exb. WW 1/4. The photo-copy of the temporary passes issued to the workman are collectively placed herewith and marked as Exb. WW 1/5. The photo-copy of the permanent passes issued to workman at different periods are collectively placed herewith and marked as Exb. WW 1/6. The photo-copy of the duty rosters pertaining to different periods are placed herewith and marked as Exb. WW 1/7. The photo-copy of the salary register pertaining to November, 1996, December, 1996 and February, 1997 are placed herewith collectively and marked as Exb. WW 1/8. That the workman's Incharge wrote a letter dt. 30-04-1997 to the General Manager of the Respondent establishment recommending that the workman's salary required to be enhanced from Rs. 3,200 to Rs. 4,200. A copy of the letter dt. 30-04-1997 from Sh. A.K. Rai to the General Manager of the respondent is placed herewith and marked as Exb. WW 1/9.

That all of a sudden, the respondent management served to the workman a suspension letter dt. 20-12-1998. A copy of the suspension letter dt. 20-12-1998 is placed herewith and marked as Exb. WW 1/10. That the respondent management also issued similar suspension letters to 5 other employees. That the management has pressurized all the suspended employees to tender their resignations. The other five employees succumbed to the pressure and surrendered their resignations without their own will. But the claimant workman refused to sign resignation letter and requested the management to continue him in the service.

That the respondent management sent a letter dt. 22-02-1999 to the workman asking him to meet the Senior General Manager in connection with his suspension. A copy of the letter dt. 22-02-1999 from the management to the workman is placed herewith and marked as Exb. WW 1/11. When the workman met the Senior General Manager of the respondent establishment in response to above letter,

the workman was pressurized to surrender his resignation letter and take away 20 days salary pertaining to month of December, 1998. The workman refused to accept the demand of the management. Then, the Senior General Manager misbehaved with the workman. The workman then sent a letter dt. 04-03-1999 under certificate of post to bring these matters on the record. A copy of the letter dt. 04-03-1999 written by the workman to the Senior General Manager alongwith postal receipt is placed herewith collectively and marked as Exb. WW 1/12.

As the respondent management failed to pay 20 days salary for the month of December, 98 and also subsistence allowance during the suspension period, the workman filed a statement of claim before the Hon'ble Assistant Labour Commissioner praying to issue the director to the management to pay the workman his 20 days salary and also subsistence allowance and conduct his departmental enquiry expeditiously by following principles of natural justice.

That the workman has been suspended illegally and unjustifiedly. That the management has not served any charge sheet on the workman. That the management has not conducted any department enquiry against the workman and principles of natural justice are violated. That the management has not served any termination letter and only by reply informed before the Hon'ble Assistant Labour Commissioner (C) that the services of the workman have been terminated. That the management has not paid 20 days salary pertaining to December, 1998 and also has not paid subsistence allowance during the suspension period. That the termination of workman is illegal and unjustified and liable to be set aside and workman is entitled to be reinstated with full back wages and continuity of service. The workman is unemployed since 20th December, 1998. Despite his best efforts he could not get any alternative employment.

The management has filed written statement. In the written statement, it has been stated that the statement of claim filed on behalf of the claimant is liable to be dismissed as the claimant is not covered under the definition of 'Workman' as per Sec. 2(s) of the I.D. Act. It is submitted that the claimant was working as 'Supervisor'. The claimant was working in a supervisory capacity and the claimant was drawing a salary of more than Rs. 1600. Thus the claimant is not covered under the definition of 'Workman' as given in Sec. 2(s) of the I.D. Act. On this ground the claim of the claimant is liable to be dismissed as not maintainable. That the reference has not been made by the appropriate Govt. The reference has been made by the Central Govt. which is not the appropriate Govt. in the present case. It is submitted that the management does not own and carry an air transport service. The management simply books the cargo and gets them sent to different countries through Aeroplanes owned by different companies.

That the statement of claim filed by the claimant is not in accordance with the well established practices. The statement of claim looks like an affidavit as the present statement of claim contains a number of documents which have been exhibited without oath. The statement of claim should contain the simple facts and same are to be proved later on oath by way of evidence. The claimant, therefore, be directed to file a proper statement of claim. That the reference has been made without application of the mind. the claimant had claimed his 20 days' salary for the month of December, 1998 and suspension allowance in his statement of claim filed before the Conciliation Officer, but the terms of reference speak of termination, thus, the reference has been made without application of the mind. It is submitted that the claimant filed a statement of claim U/S. 2(k) of the I.D. Act before the conciliation officer for wages and suspension allowance, but reference has been made of termination U/S 2-A of the I.D. act whereas there was no statement of claim filed by the claimant against the alleged termination, hence the reference is liable to be struck down.

That there is no termination on the part of the management. It is submitted that the claimant was suspended vide letter dt. 20-12-1998 for various misconducts including drinking with order employees during duty hours. It is submitted that the management sent various letters and messages at the last known official address of the claimant as the whereabouts of the claimant were not known till notice was received from the office of the Regional Labour Commissioner (Central) in the month of May, 1999. The claimant did not contact the management nor sent any letter to the management during this period. From the conduct of the claimant, it is manifest that the claimant had abandoned his job. It is further submitted other employees who were also suspended alongwith the claimant had already resigned and got their dues.

The workman applicant has filed rejoinder. In this rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. the management has also denied most of the paras of the claim statement. The workman has filed affidavit. He has not been cross-examined by the management. The management was not present to argue the case. The workman applicant has been present all along. The management was also present previously and notice has been sent to the management but the management has not appeared to cross-examine the workman.

The case of the workman applicant is that he was appointed to the post of supervisor in the respondent's establishment on 02-11-1995. He was appointed as Cargo supervisor w.e.f. 17-11-1995 at a monthly wage of Rs. 3000 per month. The workman was provided Identity Card and temporary pass. The workman was suspended on 20-12-1998, the other five persons appointed with him were

also suspended. The other workmen were reinstated later on but this workman was not reinstated.

The management in the written statement has taken the plea that the petitioner is not a workman as per section 2 (s) of ID Act. He was working as a supervisor. He was working in a supervisory capacity and he was drawing salary more than Rs. 1,600 so he is not covered under definition as given in 2 (s) of the act. It has been further stated by the management in the written statement that he was suspended on various grounds of misconduct and the management sent him several letters but he was not known. The claimant did not contact the management. The claimant has abandoned his job.

It was submitted from the side of the management that no doubt he was Cargo supervisor and his salary was Rs. 3000 but he supervised Cargo only. He was not a supervisor of the other workman working under him. No workman worked under him. He was rather a watchman or Guard of the Cargo. He took Cargo from one place to another so he was not a supervisor in the real sense who supervises the activities of the others but this workman did not supervise the duties of others who worked under him and in fact none worked under him so he was not a supervisor in the oral sense as provided in the definition 2 (s) of the ID Act. He was a Cargo Guard or watchman and he got Cargo carried as required by the management so he was not a supervisor.

It was further submitted that the management has admitted that he was suspended owing to his misconduct i.e. drinking with other employees. He has abandoned his job. The management ought to have proved the allegations levelled against the workman applicant but no inquiry has been held. The workman has come simply for raising dispute so it cannot be said that he has abandoned the job. The action of the management is not just. The workman applicant is entitled to be reinstated with 50% back wages.

The reference is replied thus :—

The action of the Managing Director, M/s. Sam Aviation (P) Ltd., Room No. 15, Hotel Janpath, New Delhi-110001 in terminating the services of Shri Arvind Kumar Choudhary, Cargo supervisor w.e.f. 01-03-1999 is neither just nor legal.

The workman applicant is reinstated to the post of Cargo supervisor w.e.f. 01-03-1999 with 50% back wages. The management is directed to reinstate the workman as directed within one month from the date of publication of the Award. In case of default the workman applicant will be entitled to get 10% interest on his entire back wages.

The Award is given accordingly.

Dated: 25-05-2005

R.N. RAI, Presiding Officer

नई दिल्ली, 7 जून, 2005

का.आ. 2368.—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 16 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, यह मत होने के कारण कि सोसाइटी पंजीकरण अधिनियम, 1860 (1860 का 21) के अंतर्गत पंजीकृत कतिपय स्थापनाओं की परिस्थितियों के मद्दे नजर अथवा फिलहाल लागू किसी अन्य तदनु रूप निगम के अंतर्गत ऐसा करना जरूरी तथा समीचीन है, एतद्वारा निम्नलिखित श्रेणी के प्रतिष्ठानों को 1 अप्रैल, 2005 से 31 मार्च, 2010 तक की अवधि तक उक्त अधिनियम के प्रचालन से छूट प्रदान करती है,—

- (क) जिनका वित्तपोषण पूर्णतः केन्द्र सरकार, अथवा किसी राज्य सरकार अथवा राज्य सरकारों अथवा आंशिक रूप से केन्द्रीय सरकार तथा आंशिक रूप से एक अथवा अधिक राज्य सरकारों से प्राप्त सहायता अनुदान से होता हो बशर्ते कि सहायता अनुदान में भविष्य निधि के नियोक्ताओं के अंशदान के संबंध में नियोक्ता की देयताओं को पूरा करने के प्रयोजन से कोई राशि शामिल न हो; अथवा
- (ख) जो लोक धर्म अथवा दातव्य न्यासों अथवा अक्षयनिधियों (मठों, मन्दिरों, गुरुद्वारों, वक्फों, चर्चों, यहूदी सभाघरों, एजीरियों अथवा सार्वजनिक धार्मिक अन्य पूजा स्थलों) अथवा सोसाइटियों अथवा धार्मिक न्यासों अथवा दातव्य अथवा अन्य सार्वजनिक प्रयोजनार्थ न्यासों द्वारा चलाए जाते हों और केन्द्र सरकार द्वारा आयकर अधिनियम, 1961 (1961 का 43) के अंतर्गत उपर्युक्त रूप में अधिसूचित किए गए हों,

बशर्ते कि ऐसी श्रेणी के प्रतिष्ठान कोई विश्वविद्यालय, कोई कॉलेज, कोई विद्यालय, कोई वैज्ञानिक संस्थान, कोई ऐसा संस्थान चलाते हों जिसमें छात्रों से कोई प्रभार अथवा शुल्क लेकर अनुसंधान, शिक्षा जानकारी अथवा प्रशिक्षण प्रदान किया जाता हो अथवा वे कोई अस्पताल-नर्सिंग होम अथवा क्लीनिक चलाते हों जिसमें रोगियों से कोई प्रभार अथवा शुल्क लेकर चिकित्सा उपचार या प्रक्रिया की जाती हो, तो ऐसे कार्यकलाप को प्रथम उल्लिखित अधिनियम के प्रचालन से छूट नहीं दी जाएगी :

बशर्ते कि सरकार जब कभी उचित समझे छूट को रद्द करने तथा/अथवा आशोधित करने का अधिकार सुरक्षित रखती है।

[फा. सं. एस-35014/3/02-एस एस-II]

संयुक्ता राय, अपर सचिव

New Delhi, the 7th June, 2005

S.O. 2368.—In exercise of the powers conferred by Sub-section (2) of Section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government, being of opinion that having regard to the circumstances of certain establishments registered under the Societies Registration

Act, 1860 (21 of 1860), or under any other corresponding law for the time being in force it is necessary and expedient so to do, hereby exempts the following class of establishments from the operation of the said Act for a period up to the 31st March, 2010 with effect from the 1st April, 2005, :—

- (a) those being wholly financed by the grants-in-aid received from the Central Government, or any State Government or State Governments or partly by the Central Government and partly by one or more State Governments subject to the condition that grants-in-aid does not include any amount for the purpose of meeting the liability of the employer towards the employers' contribution to the provident fund; or
- (b) those being run by public, religious or charitable trusts or endowments (including maths, temples, gurudwaras, wakfs, churches, synagogues, agaries or other places of public religious worship) of societies and Trusts for religious or charitable or other public purposes and notified as such as by the Central Government under the Income Tax Act, 1961 (43 of 1961) :

Provided that if such class of establishments run any university, any college, any school, any scientific institution, any institution in which research, education, imparting knowledge or training is carried on against charges of fees from the students, or run any hospital, nursing home or clinic in which any medical treatment or procedure is carried on against charges or fees from the patients, such activity shall not be exempted from the operation of the first mentioned Act :

Provided that the Government reserves the right to revoke and/or modify the exemption as and when it is deemed fit.

[F. No. S-35014/3/02-SS-II]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 17 जून, 2005

का.आ. 2369.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 जुलाई, 2005 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध असम के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“डिगबोई क्षेत्र के मोजा-माकुम, जिला तिनसुकिया के अन्तर्गत आने वाले डिगबोई राजस्व सर्किल के अधीन राजस्व

ग्राम-बापापुंग, मूलियाबारी गोलाई नम्बर 1, 2 और 3 एवं बोरबिल संख्या 1, 2 और 3।”

[संख्या एस-38013/25/2005-एस.एस.-1]

के.सी. जैन, निदेशक

New Delhi, the 17th June, 2005

S.O. 2369.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2005 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Assam namely :—

“Areas under Digboi falls within Digboi Town Committee including Revenue Villages-Bapapung Village, Mullabari, Golai Nos. 1, 2 and 3, Borbil Nos. 1, 2 & 3 in the Digboi area under Mouza-Makum in the District Tinsukia.”

[No. S-38013/25/2005-S.S. I]

K.C. JAIN, Director

नई दिल्ली, 17 जून, 2005

का.आ. 2370.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 जुलाई, 2005 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध केरल के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“जिला कण्णूर में तलिपरंबु तालुक में चुपलि क्षेत्र।”

[संख्या एस-38013/26/2005-एस.एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 17th June, 2005

S.O. 2370.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2005 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala namely :—

“Chuzhali in Taliparambu Taluk in Kannur District.”

[No. S-38013/26/2005-S.S. I]

K. C. JAIN, Director

नई दिल्ली, 21 जून, 2005

का.आ. 2371.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 जुलाई, 2005 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले की प्रवृत्त की जा चुकी है) के उपबन्ध केरल के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“जिला एरनाकुलम के चेरानल्लूर में चेरानल्लूर क्षेत्र।”

[संख्या एस-38013/28/2005-एस.एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 21st June, 2005

S.O. 2371.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2005 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala namely :—

“Cheranallur in Kanayannur Taluk in Ernakulam District.”

[No. S-38013/28/2005-S.S. I]

K. C. JAIN, Director

नई दिल्ली, 21 जून, 2005

का.आ. 2372.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 जुलाई, 2005 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा-76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध केरल के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“जिला तथा तालुक कोट्टयम में ओणमतूरुत क्षेत्र।”

[संख्या एस-38013/29/2005-एस.एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 21st June, 2005

S.O. 2372.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2005 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters

V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala namely :—

“Onamthuruth in Kottayam Taluk & District.”

[No. S-38013/29/2005-S.S. I]

K. C. JAIN, Director

नई दिल्ली, 21 जून, 2005

का.आ. 2373.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 जुलाई, 2005 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध केरल के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“जिला तथा तालुक कोट्टयम में अकालकुन्म क्षेत्र।”

[संख्या एस-38013/27/2005-एस.एस.-I]

के. सी. जैन, निदेशक

New Delhi, the 21st June, 2005

S.O. 2373.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employee's State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2005 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala namely :—

“Akalakunnam in Kottayam Taluk & District.”

[No. S-38013/27/2005-S.S. I]

K. C. JAIN, Director

नई दिल्ली, 27 जून, 2005

का.आ. 2374.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 303 दिनांक 11-1-2005 द्वारा खनिज तेल (कच्चा तेल), मोटर और विमानन, स्पिरिट, डीजल तेल, मिट्टी का तेल, ईंधन तेल, विविधा हाइड्रोकार्बन तेल और उनके मिश्रण जिनमें सिंथेटिक तेल और इसी प्रकार के तेल शामिल हैं, के निर्माण या उत्पादन में लगे उद्योग में सेवाओं में है जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 26 में शामिल हैं, को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 16-1-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की यह राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 16-7-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. संख्या एस-11017/6/97-आई.आर. (पी. एल.)]

जे. पी. पति, संयुक्त सचिव

New Delhi, the 27th June, 2005

S.O. 2374.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 303 dated 11-1-2005 the services in Industry engaged in manufacture or production of mineral oil (crude oil), motor and aviation spirit, diesel oil, kerosene oil, fuel oil, diverse hydrocarbon oils and their blends including synthetic fuels, Lubricating oils and the like which is covered by item 26 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said Act, for a period of six months from the 16th January, 2005.

And whereas the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a period of six months from the 16th July, 2005.

[F. No. S-11017/6/97-IR(PL)]

J. P. PATI, Jt. Secy.

नई दिल्ली, 28 जून, 2005

का.आ. 2375.—केन्द्रीय सरकार संतुष्ट है कि लोकहित में ऐसा करना अपेक्षित है कि भारतीय खाद्य निगम में सेवाओं को जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 6 के अन्तर्गत निर्दिष्ट किया गया है, उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवाएं घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. संख्या एस-11017/5/91-आई.आर. (पी. एल.)]

जे. पी. पति, संयुक्त सचिव

New Delhi, the 28th June, 2005

S.O. 2375.—Whereas the Central Government is satisfied that the public interest so requires that the services in the Food Corporation of India which is covered by item 6 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be a public utility service for the purpose of the said Act.

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purpose of the said Act for a period of six months.

[F. No. S-11017/5/91-IR(PL)]

J. P. PATI, Jt. Secy.

नई दिल्ली, 28 जून, 2005

का.आ. 2376.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोक-हित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 302 दिनांक 10-1-2005 द्वारा बैंक नोट मुद्रणालय, देवास (म.प्र.) जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 22 में शामिल है, को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 10-1-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की यह राय है कि लोकहित में उक्त कालावधि को छ. मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 10-7-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. संख्या एस-11017/4/97-आई.आर. (पी. एल.)]

जे. पी. पति, संयुक्त सचिव

New Delhi, the 28th June, 2005

S.O. 2376.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 302 dated 10-1-2005 the service in Bank Note Press, Dewas which is covered by item 22 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said Act, for a period of six months from the 10th January, 2005;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a period of six months from the 10th July, 2005.

[F. No. S-11017/4/97-IR(PL)]

J. P. PATI, Jt. Secy.